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Government Documents

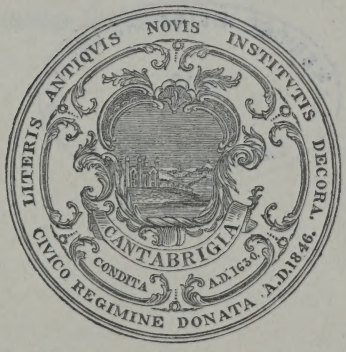
City of Cambridge.

THE

MUNICIPAL REGISTER,

FOR THE YEAR

1855.



CAMBRIDGE:
JOHN FORD, CHRONICLE PRESS.

518

CAMBRIDGE HISTORICAL SOCIETY
1910
CAMBRIDGE, MASS.

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Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Forty-Six.

AN ACT

TO ESTABLISH THE CITY OF CAMBRIDGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:—

SECT. 1. The inhabitants of the town of Cambridge, in the county of Middlesex, shall continue to be a body corporate and politic, under the name of the City of Cambridge; and, as such, shall have, exercise, and enjoy all the rights, immunities, powers, and privileges, and shall be subject to all the duties and obligations, now incumbent upon, and appertaining to, said town, as a municipal corporation.

SECT. 2. The administration of all the fiscal, prudential, and municipal affairs of said city, and the government thereof, shall be vested in one principal officer, to be styled the Mayor; one council of six, to be denominated the Board of Aldermen; and one council of twenty, to be denominated the Board of Common Council,— which two boards shall, in their joint capacity, be denominated the City Council. A majority of each board shall constitute a quorum for the transaction of business. No member of either board shall receive any compensation for his services.

The Mayor and Aldermen shall be chosen by the inhabitants of the city at large, voting in their respective wards.

The members of the Common Council shall be apportioned among the several wards, as nearly as may be, according to the number of inhabitants therein; and each ward shall elect the number of Common Councilmen to which it shall be entitled on such apportionment, from persons who shall be residents in the ward by which they shall be chosen.

SECT. 3. The city of Cambridge hereby is, and shall continue to be, divided into three wards; and the boundaries thereof shall be the same as the boundaries of the wards into which the town of Cambridge is now divided. But the City Council shall, once in five years, and not oftener, revise the same, and may, by a vote of not less than two thirds of the members of each board present, and voting thereon, so alter the boundaries of said wards, as shall be most for the convenience of the inhabitants thereof. For the first five years after the passage of this Act, the ward now known as Ward Number One shall elect five members of the Common Council; the ward now known as Ward Number Two shall elect nine members of the Common Council; and the ward now known as Ward Number Three shall elect six members of the Common Council.

SECT. 4. The annual meeting of the inhabitants for the choice of city officers shall be holden on the first Monday in March; and all city and ward officers who are chosen by the people shall be chosen by ballot, and shall hold their respective offices for one year, from the first Monday in April succeeding the annual meeting, and until others shall be chosen and qualified to act in their stead.

SECT. 5. All meetings of the inhabitants for the purpose of voting at elections, or for the transaction of municipal affairs, whether in general or in ward meetings, shall be holden in pursuance of warrants for that purpose, which shall be issued by the Mayor and Aldermen, and shall be in such form, and served and returned in such manner, and at such time, as the City Council by any By-Law shall direct.

SECT. 6. Each ward, at the annual meeting, shall choose for itself a Warden, Clerk, and three Inspectors of Elections, who shall be sworn to the faithful and impartial discharge of their

respective duties relative to elections; a certificate that said oath has been taken shall be entered in the records of the ward by the Clerk thereof.

The Warden shall preside at all ward meetings, and shall be invested with all the powers, and shall perform all the duties of a moderator of town meetings. If, at any such meeting, the Warden shall not be present, the Clerk shall call the meeting to order, and preside until a Warden *pro tempore* shall be chosen; and if the Clerk shall not be present, a Clerk *pro tempore* shall be chosen.

The Inspectors of Elections shall, at all meetings, aid and assist the Warden in preserving order, and in assorting and counting the votes; and all votes shall be assorted, counted, recorded, and declared, in open Ward meeting.

The Clerk shall record in the ward records the votes and proceedings of all ward meetings, and shall enter on said record the names of all persons voted for, and the number of votes given for each, in words at length, and shall, within twenty-four hours after each and every ward meeting holden for the purpose of any election, deliver to the City Clerk a true copy of the record of such election, certified by himself, the Warden, and a majority of the Inspectors. The Clerk shall deliver to his successor in office all the records, record-books, journals, documents, papers, and other things held by him in his capacity of Clerk of the ward.

Each ward shall also, at the annual meeting, choose the number of Common Councilmen which it shall be entitled to elect. But if the choice of ward officers or Common Councilmen cannot be conveniently effected or completed on that day, the meeting shall be adjourned from day to day, to complete the choice. The Clerk of the ward shall, within twenty-four hours after such choice, deliver to the respective persons elected Common Councilmen a certificate of their election, signed by himself, the Warden, and a majority of the Inspectors.

Sect. 7. The qualified voters in each ward shall, at the annual meeting, give in, to the Warden and Inspectors, their votes for a Mayor and six Aldermen; a copy of the record of which shall be delivered to the City Clerk, as provided in the preceding section. The City Clerk shall, immediately after receiving said copies, enter

the same, or a plain and intelligible abstract thereof, on the city records, and then lay said copies before the Mayor and Aldermen, who shall thereupon examine the same, and cause the persons who shall have been chosen Mayor and Aldermen respectively, by a majority of votes in all the wards, to be notified, in writing, of their election.

If a Mayor, or the whole number of Aldermen, shall not have been so elected, or if either of the persons elected shall refuse to accept the office to which he was chosen, the Mayor and Aldermen shall make a record of the fact, and forthwith issue their warrant for another election; and the same proceedings shall be had, in all respects, as are provided in this section for the choice of Mayor and Aldermen; and the same shall be repeated from time to time, until a Mayor and the whole number of Aldermen shall have been chosen.

Whenever the office of Mayor shall become vacant by death, resignation, or otherwise, the Boards of Aldermen and Common Council shall, respectively, by vote, declare the same, and the cause thereof, and the expediency of filling such vacancy; and the two boards shall thereupon meet in convention, and elect a Mayor to fill such vacancy so long as said cause shall continue, or until a new election.

Sect. 8. The Mayor, Aldermen, and Common Council shall, before entering on the duties of their office, be sworn to the faithful performance of the duties of their respective offices; and, for that purpose, shall meet in convention on the first Monday in April in each year, at ten of the clock in the forenoon, when such oath may be administered to the Mayor elect, if present, by any judge of any Court of record in the Commonwealth, or by any justice of the peace for the county of Middlesex, and to the Aldermen and Common Councilmen by the Mayor, he being first sworn as aforesaid, or by such justice of the peace. A certificate that such oath has been taken shall be entered in the journal of the Mayor and Aldermen, and of the Common Council, by their respective clerks. If, from any cause, the Mayor, or any one or more of the Aldermen or Common Councilmen, shall not be present on the first Monday in April, to take the oath required of them, the same may be

administered to them at any time thereafter, before entering on the duties of their office.

Sect. 9. The Mayor, thus chosen and qualified, shall be the chief executive officer of the city. He shall cause the laws and regulations of the city to be executed and enforced. He shall exercise a general supervision over the conduct of all subordinate officers, and cause their violation or neglect of duty to be punished. He may call special meetings of the Boards of Aldermen and Common Council, or either of them, when in his opinion the interests of the city require it, by causing a notification to be left at the usual dwelling-place of each member of the board or boards to be convened. He shall, from time to time, communicate to said boards, respectively, such information, and recommend such measures, as the interests of the city shall in his judgment require. He shall preside in the Board of Aldermen and in joint meeting of the two boards; but shall have a casting vote only. He shall have the exclusive power of nomination, in all cases in which appointments are directed to be made by the Mayor and Aldermen; but such nominations shall be confirmed or rejected by the Board of Aldermen. He shall be *ex officio* chairman of the School Committee, and of the Board of Overseers of the Poor. His salary for the first year under this charter, shall be six hundred dollars, and no more. He shall afterwards receive for his services such salary as the City Council shall determine, payable at stated periods, and shall receive no other compensation; but such salary shall not be increased or diminished during his continuance in office.

Sect. 10. The Mayor and Aldermen shall compose one board, and shall sit and act together as one body, at all meetings of which the Mayor shall preside, if present; but in his absence, the board may choose a chairman for the time being. All their sittings shall be public, when not engaged in executive business.

Sect. 11. The executive powers of the city and the administration of police, with all the powers heretofore vested by law in the Selectmen of Cambridge, shall be vested in the Mayor and Aldermen, as fully as if the same were herein specifically enumerated. They shall have exclusive power to appoint a City Marshal and assistants, a constable or constables, and all other police officers; and to

remove the same from office, for sufficient cause. They may require the Marshal and constables, before entering on the duties of their office, to give bonds, with sufficient sureties, to any reasonable amount; upon which the like proceedings and remedies may be had, as are by law provided in case of constables' bonds required by selectmen of towns in this Commonwealth. They shall have power to grant licenses to innholders and victuallers, and retailers within the city, in the same manner as the Mayor and Aldermen of the city of Boston now have by provision of law. They shall prepare, revise, correct, and post up, in the manner that selectmen of towns are required to do, an alphabetical list of voters in each ward of the city; and, for that purpose, shall have access to the Assessors' books and lists, and be entitled to the aid and assistance of the Assessors, Collector, and other city officers, and shall deliver the lists so prepared and corrected to the Clerks of the respective wards, to be used at elections. And they shall do and perform all the duties which the selectmen of towns are, by law, required to do and perform within their respective towns, unless it be otherwise provided in this Act.

Sect. 12. The Mayor and Aldermen shall, within two days after every meeting of the inhabitants holden for the choice of county, State, or United States officers, examine and compare the copies of the record of votes returned from all the wards, and make out returns of the same, including the names of all the persons voted for, and the number of votes given for each; which returns shall be signed by the Mayor and a majority of the Aldermen, and countersigned by the City Clerk, and shall be transmitted or delivered in the manner that similar returns are required to be made by selectmen of towns. They shall notify the persons, chosen to represent the city in the General Court, of their election, within three days after the choice; and if the whole number of representatives determined upon by the City Council shall not have been chosen at any such meeting, they shall forthwith issue their warrant for a new election, conformably to the Constitution and laws of the Commonwealth.

The Mayor and Aldermen shall issue their warrant for a general meeting of the inhabitants for any constitutional or legal purpose, whenever requested to do so, in writing, by thirty legal voters.

The Board of Aldermen shall be the final judge of the election and qualification of its members; and, whenever a vacancy shall occur therein, by death, resignation, or otherwise, may order a new election.

Sect. 13. An Act establishing the Fire Department in the town of Cambridge, passed March seventeenth, one thousand eight hundred and thirty-two, and an act in addition thereto, passed March thirtieth, one thousand eight hundred and thirty-five, shall continue in force, and all the power and authority, now vested in the Selectmen of Cambridge, in relation to the Fire Department in that town, shall be transferred to, and vested in, the Mayor and Aldermen.

Sect. 14. The persons chosen and qualified as members of the Common Council shall sit and act together as one body, distinct from the Mayor and Aldermen, except when the two bodies are required to meet and act in convention. The said Council shall, from time to time, choose one of its members to preside at all meetings of the board, and preserve order therein; and shall also choose a Clerk, who shall be sworn to the faithful discharge of the duties of that office, and shall hold such office during the pleasure of the Council. The Clerk so chosen and qualified, shall attend the Common Council when in session, and keep a journal of its acts, votes, and proceedings, and perform such other services in his said office as the Council may require. All sittings of the Common Council shall be public. The Common Council shall be the final judge of the election and qualifications of its members; and whenever a vacancy shall occur therein, by death, resignation or otherwise, may order a new election.

Sect. 15. All the powers now vested by law in the town of Cambridge, or in the inhabitants thereof, as a municipal corporation, shall be vested in the City Council, composed as provided in the second section, and shall be exercised by concurrent vote, each board having a negative on the other.

Sect. 16. The City Council shall have power to make all such salutary and needful by-laws as towns by the laws of the Commonwealth have power to make, and to annex penalties, not exceeding twenty dollars, for the breach thereof; which by-laws shall take effect and be in force from the time therein limited, without the

sanction or confirmation of any other authority whatever. All such by-laws and all city ordinances shall be duly published, and in such newspaper or newspapers as the City Council shall direct. All fines and forfeitures for the violation of any by-law or ordinance of the city shall be recovered by complaint before any justice of the peace for the county of Middlesex, and shall enure to such uses as the City Council shall direct; but the party prosecuted shall have the right of appeal to the Court of Common Pleas, in the same manner, and upon the same terms and conditions, as are provided by law for appeals from the judgment of justices of the peace in other criminal prosecutions. It shall be sufficient, in any such complaint, to set out the offence plainly and substantially; but the by-law or ordinance, on which the complaint is founded, need not be recited or set out.

Sect. 17. The City Council shall take proper care that no money be paid out from the city treasury, unless previously granted and appropriated; shall secure a just and prompt accountability from all persons intrusted with the receipt, custody, or disbursement of the moneys or funds of the city; shall have the care and superintendence of the city buildings, and all city property, and the power to let or sell what may be legally let or sold, and to purchase property, real or personal, in the name and for the use of the city, whenever the interest or convenience of the city shall require it. The City Council shall, once in every year at least, publish, for the use and information of the inhabitants, a particular account of the receipts and expenditures of the city, and a schedule of the property and debts of the city.

Sect. 18. The City Council shall have exclusive authority and power to lay out new streets or ways within said city, and to estimate the damage which any person shall sustain thereby; but all petitions and questions relating to the laying out, widening, altering, or discontinuing of any street or way, shall be first acted on by the Mayor and Aldermen. Any person, aggrieved by the decision or judgment of the Mayor and Aldermen, or of the City Council, in relation to the laying out, widening, altering, or discontinuing of any street or way, or in the estimate of damages, may, within six months thereafter, make complaint to the County Com-

missioners in the County of Middlesex; upon which complaint the same proceedings shall be had as are provided in the twenty-fourth chapter of the Revised Statutes, in cases where persons are aggrieved by the decision or judgment of selectmen of towns.

Sect. 19. The City Council shall have the power to construct drains and common sewers through any highways, streets, or private lands, paying the owners such damage as they shall sustain thereby; and to require all persons to pay a reasonable sum for the right to open any drain into such public drain or common sewer.

Sect. 20. All the power and authority, now vested by law in the Board of Health for the town of Cambridge, shall be transferred to, and vested in, the City Council, and shall be carried into execution by the appointment of Health Commissioners, or in such other manner as the City Council shall determine.

Sect. 21. The City Council shall have the power to provide for the appointment or election of all necessary officers for the good government of the city, not otherwise provided for, and to prescribe their duties and fix their compensation; but no person shall be elected by the City Council, or appointed by the Mayor and Aldermen, to any office of emolument, who, at the time of his election or appointment, shall be a member of the Board of Aldermen or of the Common Council.

Sect. 22. The City Council shall, annually, in the month of April, meet in convention, and elect, by joint ballot, a City Clerk, who shall be sworn to the faithful discharge of the duties of his office, and shall hold his office one year, and until another shall be chosen and qualified; removable, however, at the pleasure of the City Council. The City Clerk shall be *ex officio* clerk of the board composed of the Mayor and Aldermen. He shall keep a journal of all the votes and proceedings of the Mayor and Aldermen, and also of the City Council when sitting in convention, and shall perform such other duties as the Mayor and Aldermen or the City Council shall prescribe. He shall also perform all the duties, and exercise all the powers incumbent upon, and vested in, the Town Clerk of the town of Cambridge. He shall deliver to his successor in office, as soon as chosen and qualified, all journals, records,

record-books, papers, documents, or other things, held by him in his capacity of City Clerk.

SECT. 23. The City Council shall also, in the month of April, annually, in convention, and by joint ballot, elect a City Treasurer, a Collector of Taxes, and all other subordinate officers, who are not chosen by the inhabitants or appointed by the Mayor and Aldermen; and shall also fill all vacancies which shall exist in the Boards of Assessors, Assistant Assessors, Overseers of the Poor, or School Committee, by reason of a failure to elect by the inhabitants at the annual meeting. The candidates for filling such vacancies shall be determined in the manner provided by the Constitution of the Commonwealth for fixing upon candidates to fill vacancies in the State Senate.

SECT. 24. The City Council shall, annually, in the month of October, meet in convention, and determine the number of representatives which the city shall elect to the General Court, and publish such determination, which shall be conclusive; and the number thus determined shall be specified in the warrant calling the meeting for the election of Representatives.

SECT. 25. The City Council shall, in the month of January, in the year one thousand eight hundred and fifty-one, and once in every five years thereafter, determine the number of members of the Common Council which each ward shall be entitled to elect, as provided in the second section.

SECT. 26. The qualified voters of the city, at the annual meeting, shall choose seven persons for a School Committee, two of whom shall be residents in Ward Number One, three in Ward Number Two, and two in Ward Number Three; six persons to be Overseers of the poor, two of whom shall be residents in each ward; three persons to be Assessors, one of whom shall be a resident in each ward; and such number of Assistant Assessors as the City Council shall determine. The Assessors and Assistant Assessors shall be sworn to the faithful discharge of the duties of their office, and shall perform all such duties as the Assessors of towns are required by law to perform; and the Boards of School Committee and Overseers of the Poor, with the Mayor as chairman of each, shall perform all such duties as the School Committees and Overseers of the Poor in towns are required by law to perform.

Sect. 27. All meetings of the inhabitants, for the election of County, State, or United States officers who are voted for by the people, shall be held in their respective wards, at the time fixed by law for those elections respectively.

Sect. 28. After the acceptance of this Act by the inhabitants of the town of Cambridge, and during the month of April in the present year, the Selectmen of said town, for the purpose of the first election under this charter, shall issue their warrant for a meeting of the inhabitants in their respective wards, for the choice of all city officers who are directed to be chosen by the people, and such county officers as are to be voted for by other towns in the county of Middlesex, at their annual meeting in the present year. Such warrant shall be served seven days, at least, before the time appointed for said meeting, and shall designate the time and place of the meeting in the respective wards.

At said meeting, the wards respectively shall choose a Warden, Clerk, three inspectors of Elections, and the number of members of the Common Council which they are entitled to elect by the third section of this Act; and shall also give in their votes for a Mayor, six Aldermen, seven members of the School Committee, six Overseers of the Poor, three Assessors, and such county officers as are then to be voted for.

If the whole number of ward officers or Common Councilmen, in either ward, cannot be chosen on that day, the meeting may be adjourned from day to day, to complete the choice. The Clerks of the respective wards shall deliver certificates to the persons elected members of the Common Council, and copies of the record of the election to said Selectmen, within the time, and signed and certified in the manner, provided in the sixth section. The Selectmen shall, within two days after receiving said returns, examine and compare the same, ascertain the result of the election, and give notice in writing, to the persons chosen Mayor and Aldermen, of their election. If a Mayor, or the whole number of Aldermen, shall not have been elected at such meeting, the Selectmen shall forthwith issue their warrant for another meeting, as provided in this section; and the same proceedings shall be had and repeated, until a Mayor and six Aldermen shall have been chosen. Any legal voter in the

respective wards may call the said first meeting to order, and preside until a Warden shall have been chosen.

SECT. 29. Immediately after the election of city officers, as provided in the preceding section, the said Selectmen shall appoint a place, and some day not later than the first Monday in June of the present year, for the first meeting of the City Council, and for the organization of the city government established by this Act; and shall give notice thereof in writing to all the city officers elect, and shall also publish a notice thereof in one or more newspapers printed in Boston.

The Mayor, Aldermen, members of the Common Council, and all other city officers elect, shall meet at the time and place designated in such notices, and shall respectively take the oath required of them by this Act, and shall then enter upon and perform all the duties of their respective offices, in the same manner as if they had been elected prior to the first Monday in April of the present year.

SECT. 30. The annual town meeting of the town of Cambridge, for the present year, shall be suspended, and may be holden in the month of May or June, if this Act shall not be adopted by the inhabitants of the town, as provided in the thirty-fourth section.

SECT. 31. All officers of the town of Cambridge, having the care and custody of any records, papers, or property, belonging to said town, shall deliver the same to the City Clerk within one week after his entering upon the duties of his office.

SECT. 32. All Acts and parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

SECT. 33. Nothing in this Act contained shall be so construed, as to prevent the Legislature from altering or amending the same, whenever they shall deem it expedient.

SECT. 34. This Act shall be void, unless the inhabitants of the town of Cambridge, at a legal town meeting, called for that purpose, shall, by a majority of the voters present, and voting thereon by ballot, determine to adopt the same, within twenty days after its passage.

SECT. 35. This Act shall go into operation from and after its passage.

In House of Representatives, March 14, 1846.

Passed to be enacted.

SAMUEL H. WALLEY, JR., *Speaker.*

In Senate, March 16, 1846.

Passed to be enacted.

WM. B. CALHOUN, *President.*

March 17, 1846.

Approved.

GEO. N. BRIGGS.

Secretary's Office, March 17, 1846.

I hereby certify the within to be a true copy of the original Act.

JOHN G. PALFREY,
Secretary of the Commonwealth.

COMMONWEALTH OF MASSACHUSETTS.

In the Year One Thousand Eight Hundred and Fifty-Three.

AN ACT

IN ADDITION TO AN ACT TO ESTABLISH THE CITY OF CAMBRIDGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECT. 1. The election of Mayor, Aldermen, and Common Councilmen, and such other officers of the City of Cambridge as are now by law to be chosen on the first Monday in March annually, shall in future be made on the first Monday in December annually; and the said officers, so chosen, shall hold their respective offices for the same term of time, and the same proceedings shall be had in relation to such elections, as are provided in the act entitled "An Act to establish the City of Cambridge," to which this is in addition: provided, nevertheless, that the next choice of the said city officers — after the acceptance of this act by the inhabitants of the said City of Cambridge, as hereinafter provided — shall be made at such time, and in such manner, as are prescribed in the act aforesaid: and the officers so elected shall severally hold their offices until the first Monday of January next succeeding such election; anything in this act to the contrary notwithstanding.

SECT. 2. The election of a City Clerk, a City Treasurer, and a Collector of Taxes, who are now by law to be chosen, and all vacancies which are now by law to be filled, by the City Council, in the month of April annually, shall in future be respectively made and filled by the City Council in the month of January annually, in the like form and manner, and for the same term of ser-

vice, as are prescribed in the act to which this act is in addition: provided, nevertheless, that the next choice of such officers, and the next vacancies occurring, after the acceptance of this act by the inhabitants aforesaid, as hereinafter provided, shall be made and filled at such time, and in such manner, as are prescribed in the act aforesaid, to which this is in addition; and the officers so elected shall severally hold their offices until the first Monday in January next succeeding such election; anything in this act to the contrary notwithstanding.

SECT. 3. The officers chosen by virtue of this act shall enter upon the duties of their respective offices on the first Monday in January in each year, and shall be liable to all the duties and restrictions, and shall exercise all the powers to which the said officers are respectively subject or entitled, by virtue of the act to which this is in addition, and of all other acts having relation to this subject-matter.

SECT. 4. The boundaries of the several wards, and the number of members of the Common Council which each ward shall be entitled to elect, shall continue to be the same as at present established, until the month of October, in the year one thousand eight hundred and fifty-six; at which time, and once in every five years thereafter, the City Council shall revise the same, and make such alterations therein, in like form and manner, as are prescribed in the act to which this is in addition.

SECT. 5. The City Council of the City of Cambridge may establish a fire department for the said city, to consist of so many engineers and other officers, and so many enginemen and other members, as the City Council, by ordinance, shall from time to time prescribe; and the said City Council shall have authority to make such provisions in regard to the time and mode of appointment, and the occasion and mode of removal, of either such officers or members, and to make such requisitions in regard to their conduct and government, and to the management and conduct of fires and persons attending at fires, subject to the penalties provided for the breach of the city by-laws, as they shall deem expedient: provided, that the appointment of enginemen, hosemen, and hook and ladder men, shall be made by the Mayor and Aldermen exclusively.

SECT. 6. An act establishing a fire department in the town of Cambridge, passed March seventeenth, in the year one thousand eight hundred and thirty-two, and an act in addition thereto, passed March thirtieth, in the year one thousand eight hundred and thirty-five, shall continue in force, except in regard to the power of making by-laws and publishing the same, and except also in so far as they are otherwise inconsistent with the preceding section, in which respects they shall be void.

SECT. 7. The City Council shall have exclusive power and authority to lay out new streets or ways within the said city, and to estimate the damage which any person shall sustain thereby; but all petitions and questions relating to the laying out, widening, altering, or discontinuing of any street or way, shall be first acted upon by the Mayor and Aldermen. Any person dissatisfied with the decision of the City Council in the estimate of damages may, within six months thereafter, make a complaint to the County Commissioners, in the County of Middlesex; upon which complaint the same proceedings shall be had as are provided in the twenty-fourth chapter of the Revised Statutes, in cases where persons are aggrieved by the assessment of damages by selectmen.

SECT. 8. If a vacancy shall exist in any of the boards of Assessors, Assistant Assessors, Overseers of the Poor, or School Committee, by failure of the inhabitants to elect, by neglect or refusal to serve, by death, resignation, or any other cause, the City Council shall fill such vacancy, as soon as may be after the knowledge of the fact: provided, that nothing herein contained shall be construed to prevent the operation of the act passed on the twenty-sixth day of April, in the year one thousand eight hundred and forty-nine, being chapter one hundred and forty-four of the acts of said year, relating to such vacancies, therein mentioned, as may occur in the School Committee, after the date of the warrant for the annual town-meeting for the election of their successors.

SECT. 9. All boards and officers, acting under the Act of Incorporation of the City of Cambridge, and intrusted with the expenditure of public money, shall be accountable therefor to the City Council in such manner as they may direct.

SECT. 10. No board or committee of the City Council, or of

either branch thereof, shall make any contracts on behalf of, or binding upon, the said city, the amount of which contracts shall exceed the specific appropriations of the City Council previously made therefor.

SECT. 11. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 12. This act shall be void, unless the inhabitants of the said City of Cambridge, at a legal meeting called for that purpose, shall, by a majority of the voters present, and voting thereon by ballot, determine to adopt the same.

House of Representatives, April 13, 1853.

Passed to be enacted.

GEORGE BLISS, *Speaker.*

In Senate, April 14, 1853.

Passed to be enacted.

C. H. WARREN, *President.*

April 14, 1853.

Approved.

JOHN H. CLIFFORD.

Secretary's Office,
Boston, August 10, 1853.

A true copy. Attest:

E. M. WRIGHT.
Secretary of the Commonwealth.

ORDINANCES

OF THE

CITY OF CAMBRIDGE.

(No. 1.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Prescribing the Manner of Recording the Ordinances of the City.

Be it ordained, by the City Council of the City of Cambridge, as follows : — All ordinances, which shall be passed by the Mayor and Aldermen and by the Common Council of said city, shall be engrossed or recorded by the City Clerk in a fair and legible hand, without interlineation or erasure, and in the order in which they shall be passed, in a book to be kept for that purpose, made of strong linen paper, with proper margins and index, to be lettered, "Record of Ordinances of the City of Cambridge"; which book shall be preserved in the office of the City Clerk, subject to the inspection of the citizens.

Passed, May 11, 1846.

(No. 2.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Relating to the Execution of Deeds by the City.

Be it ordained, by the City Council of the City of Cambridge, as follows : —

Sect. 1. All deeds, conveyances, leases and other instruments,

which shall be given by the city, and which to be valid in law must be signed, sealed, and acknowledged, shall be signed and acknowledged by the Mayor, on behalf of the city, and shall be by him sealed with the common seal of the city.

SECT. 2. Whenever the amount due and payable on any mortgage belonging to the city shall be paid to the City Treasurer, the City Treasurer shall certify the same to the Mayor, who shall thereupon discharge the mortgage, or by and with the consent of the Board of Aldermen, may assign the same; and for that purpose the Mayor shall execute and deliver all necessary deeds and instruments.

Passed, May 11, 1846.

(No. 3.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Providing for the Appointment of Surveyors of Highways.

Passed, May 11, 1846.

(Repealed by Ordinance No. 23.)

(No. 4.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Prescribing the Mode of Appointing certain City Officers.

Passed, May 18, 1846.

(Repealed by Ordinance No. 23.)

(No. 5.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Prescribing the Form of Warrants, and the Mode of Serving and Returning the same.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. The form of warrants, for calling meetings of the citizens of the several wards, shall be as follows, to wit: —

City of Cambridge.

To either Constable of the City of Cambridge, Greeting: In the name of the Commonwealth of Massachusetts, you are hereby commanded forthwith to warn the inhabitants of Ward No. —, in said city, qualified as the law directs, to assemble at ——, in said Ward, on ——, the —— day of ——, at —— o'clock in the —— noon, then and there to ——.

Hereof fail not, and have you then and there this warrant, with your doings thereon.

Witness, —— ——, Mayor of our City of Cambridge, the —— —— day of ——, in the year one thousand eight hundred and ——

By order of the Mayor and Aldermen,

—— ——, City Clerk.

SECT. 2. All warrants, for calling meetings of the citizens of the several wards, shall be issued by the Mayor and Aldermen, and signed by the City Clerk, and shall be served by either constable of said city, and by him returned to the Warden of the several wards, on or before the time of meeting therein specified.

SECT. 3. All warrants, for calling ward meetings, shall be served by posting copies thereof in five public places at least, in the ward named in the warrant, seven days next before the time of meeting; and the City Clerk shall also cause notice of all such meetings to be published in any newspaper which shall be printed in the city,

between the date of the warrants and the time appointed for said meetings.

SECT. 4. The Mayor and Aldermen shall fix the times for opening and closing the polls, at meetings held for the election of all officers other than ward officers, and state the same in the warrant for calling the meetings.

SECT. 5. All warrants, for calling meetings of the inhabitants of the City of Cambridge, shall be in the form prescribed in the first section, except that such meetings shall be held at the City Hall, or such other place in the City as the Mayor and Aldermen shall direct. They shall be served by a constable of the city, by posting copies thereof in the several wards not less than seven days before the time of meeting, and be returned to the Mayor and Aldermen; and the City Clerk shall cause a notice of such meeting to be published, as directed in the third section.

Passed, May 18, 1846.

(No. 6.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Establishing a System of Accountability in the Expenditures of the City.

Passed, May 25, 1846.

(Repealed by Ordinance No. 48.)

(No. 7.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Directing the Manner in which the Ordinances of the City Council, and the Orders of the Mayor and Aldermen, shall be promulgated.

Be it ordained, by the City Council of the City of Cambridge as follows : — All the ordinances of the City Council, and all the orders of the Mayor and Aldermen, shall be published and promulgated, by causing the same to be inserted four weeks successively in such newspaper as shall be printed and published in the city; or, in case no newspaper shall be printed and published in the city, then in such newspaper or newspapers, printed and published in the City of Boston, as the Mayor and Aldermen shall from time to time designate.

Passed, June 9, 1846.

(No. 8.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Establishing the Salary of the Collector of Taxes.

Passed, June 9, 1846.

(Repealed by Ordinance, No. 28.)

(No. 9.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Relating to the Powers and Duties of the School Committee.

Be it ordained, by the City Council of the City of Cambridge, as follows : —

Sect. 1. The School Committee are hereby authorized to elect and employ instructors for the public schools of the city, and determine the amount of their respective salaries.

Sect. 2. The School Committee, in distributing the sum annually appropriated by the City Council for salaries of instructors in the public schools, shall so fix and graduate the amount of salary of

each instructor, that the aggregate amount of all such salaries shall in no case exceed the sum so appropriated by the City Council.

SECT. 3. The School Committee shall have the care of the school-houses of the city; they shall cause the same to be repaired from time to time, and kept in good order; provide fuel for the schools, and all things necessary for the comfort of the scholars therein.

Passed, June 9, 1846.

(Modified by Ordinance, No. 40.)

(No. 10.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

To establish a City Seal.

Passed, June 9, 1846.

(Repealed by Ordinance No. 21.)

(No. 11.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Directing to what Uses Fines and Penalties shall be appropriated.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. All fines and penalties for the violation of any ordinance of the city, or any order of the Mayor and Aldermen, shall, when recovered, enure to the use of the city, and shall be paid into the city treasury, unless it shall be otherwise directed by the laws of the Commonwealth, or the ordinances of the city.

SECT. 2. All officers of the city shall enforce obedience to such

laws of the Commonwealth, ordinances of the city, and orders of the Mayor and Aldermen, as it may be the duty of such officers respectively to observe and enforce; and, to that end, shall take notice of all complaints, and institute such prosecutions, as shall be necessary for that purpose.

Passed, June 16, 1846.

(No. 12.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

To prevent Unlawful and Injurious Practices in the Streets and other Public Places in the City.

Be it ordained, by the City Council of the City of Cambridge, as follows:—

SECT. 1. No person shall break or dig up the ground or stones, in any street, lane, or alley, or any sidewalk or common, in the city, or erect any staging for building, or place or deposit any stone, bricks, timber, or other building materials thereon, without first obtaining a written license from the Mayor and Aldermen, or some person authorized by them to grant such license, and complying in all respects with the conditions of such license.

SECT. 2. (Repealed by Ordinance No. 51.)

SECT. 3. Whenever any street, lane, alley, sidewalk, or other public place in the city, shall, under any license granted as provided in the preceding section, be dug up, obstructed, encumbered, or otherwise rendered thereby unsafe or inconvenient for travellers, the person so licensed shall put, and at all times keep up, a suitable railing or fence round the section or parts of any street, lane, alley, or other public place so dug up, obstructed, or encumbered, so long as the same shall be or remain unsafe or inconvenient as aforesaid; and shall also keep one or more lighted lanterns fixed to such fence, or in some other proper manner, every night, from

twilight in the evening and through the whole night, so long as such railing or fence shall be kept standing. He shall also, within such reasonable time as the Mayor and Aldermen shall direct, amend and repair such street, lane, alley, sidewalk, or public place, to the acceptance of said Board.

Sect. 4. From and after the passing of this Ordinance, no person shall make, erect, or maintain any door-step, portico, porch, entrance, or passage-way to any cellar or basement, or any other structure, in or upon any street, lane, alley, or sidewalk in the city, without permission in writing from the Mayor and Aldermen. No person shall suffer the platform or grate of the entrance or passage-way to his cellar or basement, heretofore constructed, or which may hereafter be constructed, in any street, lane, alley, or sidewalk, to rise above the even surface of such street, lane, alley, or sidewalk; and every such entrance or passage-way shall be at all times kept covered by a suitable and substantial platform or grate; or, in case it shall be kept open, it shall be guarded and protected by a sufficient railing, on both sides thereof, at least two feet and a half high, and well lighted at night. No person shall permit or suffer his well, cistern, or drain, in any street, lane, alley, or sidewalk in the city, to be or remain open or uncovered, unless the same shall be enclosed by a strong and safe curb, guard, or fence.

Sect. 5. If any person shall dig or sink, or cause to be dug or sunk, any well, cistern, drain, or other cavity in the ground, near to or adjoining any street, lane, or alley in the city, he shall put up, and at all times keep up, so long as it shall be necessary for the purpose, a railing or fence, on or near the line of such street, lane, or alley, sufficient to guard and protect travellers and passengers from falling into or being injured thereby.

Sect. 6. No person shall put or place, or cause to be put or placed, in any street, lane, alley, or other public place in the city, any house-dirt, ashes, garbage, shreds, shavings, filth, suds, offals, oyster-shells, or other kind of rubbish, except in such place, and in such manner, as the Mayor and Aldermen shall prescribe.

Sect. 7. No person shall suffer his fire-wood, coal, or other fuel,

in any quantity, to remain unnecessarily on any sidewalk, or in any street, lane, or alley in the city, over night, or after twilight in the evening. If the same must of necessity remain after twilight, or through the night, the owner thereof shall place and keep a sufficient light over or near the same, through the night, in order to give notice thereof to travellers and passengers, and thereby prevent injury to them.

SECT. 8. No person shall permit any horse, swine, goat, cow, or other neat cattle, belonging to him, or under his control, to go at large in any street, lane, or alley, or on any common, in the city.

SECT. 9. No person shall ride any horse, or drive any horse or horses, attached to a carriage of any description, either of burden or pleasure, or cause the same to be rode or driven, in any street, lane, or alley, or over any bridge, in the city, at an immoderate gait so as to endanger or expose to injury any person standing, walking, or riding in or on the same. And every person having any truck, cart, wagon, or other team of burden under his care, shall, when driving or passing in or upon any street, lane, alley, or bridge in the city, hold the reins of his horse or horses in his hand or be in such position, and so near the team he is driving, as to be able at all times to guide, restrain, and govern the same.

SECT. 10. No person shall drive, wheel, or draw any coach, cart, or other carriage of burden or pleasure, or permit any horse under his care to go upon any sidewalk in the city, or otherwise occupy, obstruct, or encumber any such sidewalk, so as to interfere with the convenient use of the same by all passengers. No person shall stop his team or carriage, or unnecessarily place any other obstruction, on any flagging-stones laid in or across any street, lane, or alley in the city.

SECT. 11. (Repealed by Ordinance No. 51.)

SECT. 12. Any person who shall throw or put, or cause to be thrown or put, any snow or ice into any street, lane, or alley in the city, shall cause the same to be broken up and spread evenly over the surface of such street, lane, or alley.

SECT. 13. No person shall swim or bathe in any of the waters within or surrounding the city, so as to be exposed to the view of

passengers or other persons in any street, lane, alley, or house within the city.

Sect. 14. No person shall expose, in or upon any street, lane, alley, public place, or common in the city, any table or device of any kind, by or upon which any game of hazard or chance can be played; nor shall any person play any such game at such table or device, in or upon any street, lane, alley, public place, or common in the city. No person shall place or keep any table, stall, booth, or other erection, in any street, lane, alley, or public place, or on the common or any sidewalk in the city, for the sale of fruit or other things, without permission from the Mayor and Aldermen.

Sect. 15. No person shall, except in the performance of some duty required by law, discharge any gun, pistol, or other fire-arm, loaded with balls or shot, or with powder only, within the principal inhabited parts of the city, or within fifty rods of any dwelling-house therein.

Sect. 16. No person shall injure, deface, or destroy any guide-post or guide-board, any lamp-post, or lamp or lantern thereon, heretofore erected, or which shall be erected, in the city; or any tree, building, fence, post, or other thing, set, erected, or made for the use or ornament of the city.

Sect. 17. No person shall behave himself in a rude or disorderly manner, or use any indecent, profane, or insulting language in any street, lane, alley, or other public place in the city, or near any dwelling-house or other building therein; or be or remain upon any sidewalk, or upon any door-step, portico, or other projection from any such house or other building, to the annoyance or disturbance of any person; nor shall any person, by any noise, gestures, or other means, wantonly and designedly frighten or drive any horse, in any street or other public place in the city. No person shall play at foot-ball or "hurley," or fly any kites or balloons, or throw any stones, in any street, lane, or alley of the city.

Sect. 18. Any person, who shall offend against any of the provisions of this Ordinance, shall forfeit and pay, for each offence, a sum not exceeding twenty dollars.

Sect. 19. The City Council shall have power to give names to all streets and squares which shall be hereafter laid out, and to change the name of any street or square when they see fit.

Sect. 20. All sidewalks, which may have been heretofore accepted by the town of Cambridge, or which shall be accepted by the city, shall be kept in repair by the city; provided, however, that all such repairs of the same as shall be rendered necessary by any act of the owner or occupant of the adjoining land, or by any defect in the buildings thereon, or by any other cause under the control of such owner or occupant, shall be made by such owner or occupant; and if they shall neglect to make such repairs, the same shall be made by the city, at the expense of such owner or occupant.

Sect. 21. The City Clerk shall enter, in a book to be kept for the purpose, the names of all the streets in the city, alphabetically arranged, which have been or hereafter shall be laid out; and also a list of all sidewalks that now are or hereafter may be accepted, — the date of the acceptance, and the names of the owners of the adjacent estates.

Sect. 22. This Ordinance shall be in force from and after the first day of July next.

Passed, June 16, 1846.

(No. 13.)

In the Year one thousand eight hundred and forty-six.

AN ORDINANCE

Providing for the Appointment, and prescribing the Duties, of City Marshal, and establishing a City Watch.

(Superseded by Ordinance No. 52.)

(No. 14.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

For the Prevention of Fires.

Be it ordained, by the City Council of the City of Cambridge, as follows:—

SECT. 1. No gunpowder shall be kept within the limits of the city, except in the magazine belonging to the Commonwealth, unless the same shall be well secured in tight casks or canisters.

SECT. 2. No gunpowder, above the quantity of fifty pounds, shall be kept or deposited in any shop, store, or other building, or in any ship or vessel, which shall be within ten rods of any other building within the city.

SECT. 3. No gunpowder, above the quantity of one pound, shall be kept or deposited in any shop, store, or other building, within ten rods of any other building in the city, unless the same be well secured in copper, tin, or brass canisters, holding not more than five pounds each, and closely covered with copper, tin, or brass covers, according to the seventh section of the fifty-eighth chapter of the Revised Statutes.

SECT. 4. No person shall burn out or set fire to his chimney, stovepipe, or flue, at any time, except between sunrise and two o'clock in the afternoon; nor unless the roof of his own and the neighboring houses and buildings are at the time well wet, or covered with snow.

SECT. 5. The Board of Engineers shall severally examine into all places where shavings and other combustible materials may be deposited or collected, and shall cause the same to be removed by the owners or occupants of any such places, and at their expense, whenever, in the opinion of said Board, or a committee thereof, the security of the city against fire shall require it.

SECT. 6. No person shall keep any ashes in any vessels made of wood, nor set on fire by night any straw, shavings, or other com-

bustible materials, in any street, lane, or alley, or other public place in the city.

SECT. 9. Every person who shall offend against any of the provisions of this Ordinance, shall forfeit and pay a sum not exceeding twenty dollars.

Passed, July 14, 1846.

(No. 15.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Prescribing the Duties of Weighers of Hay and other Articles.

Be it ordained, by the City Council of the City of Cambridge, as follows:—

SECT. 1. The ninety-fifth, ninety-sixth, ninety-seventh, and ninety-eighth sections of the twenty-eighth chapter of the Revised Statutes of the Commonwealth, relating to the weighing of hay and other articles, are adopted by the City of Cambridge.

SECT. 2. The Mayor and Aldermen may, from time to time, establish as many scales for the weighing of hay and other articles as the public good may require, and cause the same to be erected, and furnished with decimal weights, which shall be used in all cases.

SECT. 3. Every person who shall be appointed a weigher of hay and other articles within the city shall, before entering on the duties of his office, be sworn to the faithful performance of his duties before the Mayor or City Clerk, and shall hold his office one year, and until another shall be appointed in his place; provided, however, that the City Council may, by concurrent vote, remove such weigher at any time.

SECT. 4. Every such weigher shall be at or near the scales of which he has the charge, at all reasonable times, ready to weigh all hay and other articles which shall be offered for that purpose. He shall deliver to the driver or owner of every load of hay or other articles weighed, a certificate under his hand, specifying the

name of the driver or owner, his place of residence, and of the article weighed, the weight thereof, and the tare, the date, and the fees charged. He shall keep a true account of all hay and other articles weighed by him, and record the same in a book to be kept for the purpose, which shall be at all times open for public inspection, and, when filled, be delivered to the City Clerk. The said record shall contain the same particulars that are required to be stated in the certificate described in this section.

SECT. 5. Every such weigher shall settle once in six months, with the Mayor and Aldermen, for all fees received and charged by him for weighing, during the preceding six months; and pay into the city treasury the amount of fees in his hands, after deducting therefrom such compensation as the City Council may allow him for the same term of time.

SECT. 6. (Repealed by Ordinance No. 26. See also Ordinance No. 36.)

SECT. 7. Every such weigher shall be furnished by the Mayor with duplicate copies of this Ordinance, and all laws in force relating to the weighing of hay and other articles; one of which copies shall be posted up in some conspicuous place in the office of such weigher.

SECT. 8. Every person, not appointed as aforesaid, who shall weigh or suffer to be weighed any hay or other articles on any scales, other than such as are established in the manner prescribed in the second section, shall forfeit and pay for each offence a sum not exceeding ten dollars; provided, however, that any person may weigh coals or other articles belonging to or sold by him, on scales established or set up by himself.

Passed, July 14, 1846.

(No. 16.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Relating to the Assessment and Collection of Taxes.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. The Assessors shall make their valuation of estates, and complete the assessment of taxes, and place a list thereof in the hands of the Collector, on or before the twentieth day of August in each year.

SECT. 2. The Assessors may, in their discretion, transfer the amount of taxes assessed on real estates, not owned at the time of assessment by the persons charged with such taxes, to the persons by whom the said real estates were owned at that time.

SECT. 3. All personal estate, of which no schedule shall be furnished to the Assessors, as provided by law, shall be doomed by the Assessors.

SECT. 4. The Assessors, if they shall abate any tax, wholly or in part, shall keep a record thereof in a book to be provided for that purpose; which record shall contain the name of the person whose tax shall be so abated, the amount of his tax as originally assessed, the amount abated, and the reasons for such abatement; and they shall lay such record before the City Council in the first week of February, annually.

SECT. 5. The Assessors shall forthwith issue tax-bills for all poll-taxes assessed by them on persons who shall be assessed for a poll-tax only, as soon as the amount of such tax in each year can be ascertained, and such poll-tax shall be paid when demanded; and if not so paid to the Collector, he shall forthwith proceed to collect the same in the manner provided by the laws of the Commonwealth for the collection of taxes from delinquents.

SECT. 6. (Repealed by Ordinance No. 18.)

SECT. 7. The Collector shall, within thirty days after the Assessors shall have placed any list of taxes in his hands for collection,

deliver to every person on whom any tax other than a poll-tax shall have been assessed, or leave at his place of abode or business, a bill of such taxes, which shall be equivalent to a special demand of payment thereof by the Collector; and all taxes shall be payable, and payment thereof may be enforced, by distress or imprisonment, at the expiration of fourteen days after bills of the same shall have been delivered or left as provided in this section.

Sect. 8. The Collector shall, within the municipal year for which he was chosen, collect all taxes committed to him, from all persons against whom he shall have any such tax, and who shall be resident in or have sufficient goods or estate within the city.

Passed July 14, 1846.

(No. 17.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

For the Removal of Nuisances, Sources of Filth, and Causes of Sickness within the City of Cambridge.

Be it ordained, by the City Council of the City of Cambridge, as follows : —

Sect. 1. The Mayor and Aldermen, for the time being, are hereby appointed and constituted the Board of Health of the City of Cambridge, and shall have power to carry into execution all laws of the Commonwealth and ordinances of the City Council, made for the preservation of the health of the inhabitants of said city.

Sect. 2. Every tenement in the city, used as a dwelling-house, shall be furnished, when it can be done without unreasonable expense, with a sufficient drain to carry off the waste water into a common sewer or reservoir, which drain and reservoir shall be under ground; and no person shall suffer any waste or stagnant water to remain in any cellar, or on any lot of land or vacant ground owned or occupied by him, so as to become a nuisance, or offensive, or dangerous to the public health.

Sect. 3. Every tenement in the city, used as a dwelling-house, shall be furnished with a privy, the vault of which shall be under ground, and of a sufficient capacity, regard being had to the number of persons occupying said tenement. Every such vault shall be so constructed that the contents thereof shall in no case escape therefrom or ooze out upon the adjoining grounds, nor shall the contents of any such vault be suffered to remain within less than eighteen inches of the even surface of the ground.

Sect. 4. The owner or occupant of any tenement which shall be used as a dwelling-house, without being furnished with a privy and vault, as provided in the preceding section, shall forfeit and pay a sum not exceeding twenty dollars for each and every week during which such tenement or any part thereof shall be so used.

Sect. 5. The vaults of all privies in the city shall be so constructed, that the inside thereof shall be not less than two feet distant from the line of every adjoining lot of land, without the consent of the owner of such adjoining lot, or by permission of the Mayor and Aldermen; and also from every street, lane, alley, court, public place, and private way in the city. There shall be no communication between any such vault and any common sewer or drain, by which the solid contents of any such vault can pass into such sewer or drain; but the fluid contents may be conveyed under ground into a common sewer or drain, in such manner and under such restrictions as the Mayor and Aldermen shall prescribe.

Sect. 6. The owner or occupant of any land, in which any vault may be situated, shall cause the same to be cleansed, whenever the same shall become offensive; but no vault shall be opened for the purpose of being cleansed between the twentieth day of June and the first day of October in each year, except by the special permission of the Mayor and Aldermen, nor before ten o'clock at night; and the contents of such vaults, when removed from the premises upon which such vault may be, shall in all cases be removed in water-tight carts. And if any such owner or occupant shall neglect or refuse to cleanse his vault, after being notified by the Mayor and Aldermen, or one of the Marshals of the city, that the same has become offensive, he shall forfeit and pay a sum not exceeding ten

dollars for every week he shall neglect or refuse to cleanse the same.

(See Ordinances No. 32 and 44.)

7. (Repealed by Ordinance No. 56.)

SECT. 8. No person shall bring into the city for sale, or offer for sale, any diseased, putrid, stale, or unwholesome meat or other provisions, nor any fish, except smelts and other small fish, unless the same shall have been cleansed of their entrails and refuse parts.

9. (Repealed by Ordinance No. 56.)

Passed, July 28, 1846.

(No. 18.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

In Addition to "An Ordinance relating to the Assessment and Collection of Taxes."

Be it ordained, by the City Council of the City of Cambridge, as follows: —

The sixth section of "An Ordinance relating to the Assessment and Collection of Taxes," passed on the fourteenth day of July, eighteen hundred and forty-six, be, and the same is, hereby repealed.

Passed, August 18, 1846.

(No. 19.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Establishing the Office of Superintendent of Streets, and prescribing his Duties.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. There shall be chosen, at the commencement of each

municipal year, by a concurrent vote of the City Council, to be first acted upon by the Mayor and Aldermen, an able and discreet person, to be styled the Superintendent of Streets, who shall hold his office at the pleasure of the City Council, and shall receive such compensation as said Council shall determine. Whenever said office shall become vacant by death, resignation, or otherwise, a successor shall be appointed in the manner herein prescribed.

Sect. 2. The Superintendent of Streets shall, under the direction and control of the Mayor and Aldermen, have the general care and charge of the highways, streets, lanes, sidewalks, and bridges of the city; and shall attend to the making, amending, and alteration thereof, and cause the same to be kept in good repair, so as to be safe and convenient for travellers, with their horses, teams, and carriages, at all seasons of the year. He shall superintend the building and repairing of the drains and common sewers of the city. He shall see that the highways and streets are kept in good order, and that all nuisances and obstructions therein are forthwith removed, or give notice thereof to the Mayor or one of the Marshals of the city. He may, under the direction of the Mayor, make all necessary contracts for the supply of any labor or materials he may require in the discharge of his official duty.

Sect. 3. Whenever any highway, bridge, or street of the city shall, from want of necessary repair, or by reason of any alteration or repair thereof being made, or of any drain, common sewer, or culvert being open or constructed across or through the same, or for any other cause, be unsafe or inconvenient for travellers or passengers, the Superintendent of Streets shall forthwith put up a suitable fence across such highway, street, or bridge, and exclude all travellers passing over the same; or cause the parts thereof, so rendered unsafe and inconvenient as aforesaid, to be inclosed by a sufficient fence, which shall be kept standing so long as the same shall remain unsafe and inconvenient; and he shall also fix one or more lighted lanterns to said fence, or in some other proper manner, to be there kept every night, from twilight in the evening and through the whole night, so long as said fence shall be kept standing.

Sect. 4. The Superintendent of Streets shall have the general care and control of the teams, carts, and stables of the city; and he may, with the approbation of the Mayor, make any arrangement with the Overseers of the Poor, for a supply of labor and materials for the city, which the interests thereof may require.

Sect. 5. The provisions of this Ordinance shall be applicable to, and be executed by, the Superintendent of Streets now in office.

Passed, August 25, 1846.

(See Ordinances No. 35 and 50.)

(No. 20.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

Establishing the Salaries of sundry City Officers.

Passed, Sept. 22, 1846.

(Repealed by Ordinance No. 28.)

(No. 21.)

In the year one thousand eight hundred and forty-six.

AN ORDINANCE

To Establish a City Seal.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

Sect. 1. That the following shall be the device of the seal of said city, to wit: — In the centre thereof, a shield, bearing upon it a view, in distant perspective, of Cambridge and Boston, united by a bridge; on the extreme left, the towers of Gore Hall, and on the extreme right, the dome of the State House, to indicate the two places; under the shield, the inscription shall be, "*Cantabrigia condita, A. D.* 1630: *Civico regimine donata, A. D.* 1846."

Around the seal, as the city motto, shall be the words, "*Literis antiquis novis institutis decora.*"

Be it further ordained, That all ordinances, or parts of ordinances, inconsistent with the foregoing, be, and the same are, hereby repealed.

Passed, December 28, 1846.

(No. 22.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

Establishing the Salary of the Mayor of the City of Cambridge.

Passed, March 22, 1847.

(Repealed by Ordinance No. 39.)

(No. 23.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

Repealing certain Ordinances.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

That "An Ordinance for the Appointment of Surveyors of Highways," passed May 11, 1846, and "An Ordinance prescribing the Mode of Appointing certain City Officers," passed May 18, 1846, be, and the same hereby are, repealed.

Passed, April 29, 1847.

(No. 24.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

For the Suppression of Disturbances on the Lord's Day.

Be it ordained, by the City Council of the City of Cambridge, as follows : —

Sect. 1. Every person who shall, on the Lord's day, race, or ride, or drive, for trial of speed, any horse, or other animal of the horse kind, on any street or highway in the city, or who shall, by the careless, immoderate, or disorderly riding or driving of any such horse or other animal, whether harnessed to any gig, chaise, or other vehicle, or not, or by noises, shouts, or outcries, on any such street or highway, disturb the public peace, or shall molest or endanger any person in going to or returning from public worship, or shall obstruct, annoy, or interrupt any person in the free and quiet enjoyment of his religious rights and privileges, shall, upon conviction thereof, forfeit and pay a sum not less than five dollars, nor more than twenty dollars.

Sect. 2. Every person found in any street or highway in the city on the Lord's day, committing any of the offences mentioned in the preceding section, may be apprehended by any constable, police officer, or any other person, by order of the Mayor or any justice of the peace within the county of Middlesex, without written warrant, and kept in custody not exceeding twenty-four hours, by or at the expiration of which time, such person shall be taken before some justice of the peace, and proceeded against in the manner provided by law.

Passed, June 16, 1847.

(No. 25.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

In addition to "An Ordinance establishing a System of Accountability in the Expenditures of the City."

Passed, June 16, 1847.

(Repealed by Ordinance No. 48.)

(No. 26.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

In addition to "An Ordinance prescribing the Duties of the Weighers of Hay and other Articles."

Passed, June 16, 1847.

(Repealed by Ordinance No. 36.)

(No. 27.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

Restraining the Going at Large of Dogs within the City of Cambridge.

Be it ordained by the City Council of the City of Cambridge, as follows : —

SECT. 1. From and after the first day of July next, no dog shall be permitted to go at large or loose, in any street, lane, alley, or court, nor any uninclosed or public place in this city, until the owner or keeper of such dog, or the head of the family or the keeper of

the house where such dog is kept or harbored, shall have paid to the City Clerk two dollars for a license for such dog to go at large, nor unless he shall also cause a collar to be constantly worn by such dog, having the name and place of residence of the owner thereof legibly written, stamped, or engraved thereon. And it shall be the duty of said Clerk to grant a license to any citizen for his or her dog to run at large, upon payment of such sum, and he shall keep a record of the names of all persons to whom such licenses shall be by him granted.

SECT. 2. The licenses, which shall be issued as aforesaid, shall endure and be in force until the first day of July next after the time of issuing the same, and no longer; but they may and shall be at that time renewed, and thereafter annually, on payment to the City Clerk of the like sum of two dollars for each renewal. And in case any dog shall be found loose, or going at large, as aforesaid, contrary to the provisions of this Ordinance, the owner or keeper thereof, or the head of the family or keeper of the house where such dog is kept or harbored, shall forfeit and pay a sum not exceeding ten dollars.

SECT. 3. On complaint being made to the Mayor, of any dog within this city, which shall, by barking, biting, howling, or in any other way or manner, disturb the quiet of any person or persons whomsoever, the Mayor, on such complaint, shall issue notice thereof to the person keeping or permitting such dog to be kept, or to the owner thereof; and in case such person or owner shall, for the space of three days after such notice, neglect to cause such dog to be removed and kept beyond the limits of the city, or to be destroyed, he shall forfeit and pay a sum not exceeding one dollar for every day which shall elapse until such dog be removed or destroyed as aforesaid; provided that the justice, before whom such complaint shall be heard and tried, shall be satisfied that such dog had, in manner aforesaid, disturbed the quiet of any person or persons in the said city.

SECT. 4. If any person, after being convicted under the provision of the third section of this Ordinance, shall still neglect or refuse to destroy his dog, on being ordered so to do, or if any dog, of which

no owner or keeper shall be discovered, or whose owner or keeper shall refuse or neglect to take out a license for him, shall be found going at large, contrary to the provisions of this Ordinance, it shall be the duty of the City Marshal to cause such dog or dogs to be destroyed.

Passed, June 23, 1847.

(No. 28.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

Establishing the Salaries of certain City Officers.

Passed, June 23, 1847.
(Repealed by Ordinance No. 33.)

(No. 29.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

Establishing a Workhouse in the City of Cambridge.

Passed, August 11, 1847.
(Repealed by Ordinance No. 59.)

(No. 30.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

To Prevent Racing and Immoderate Driving of Horses in the Streets of the City.

Be it ordained by the City Council of the City of Cambridge, as follows: —

Sect. 1. Every person, who shall ride any horse, or drive any

horse or horses attached to a carriage of any description, either of burden or pleasure, or cause the same to be rode or driven, for trial of speed, or at an immoderate speed, on any street or public highway, or on any bridge, in the city; or shall disturb the public peace by noises, shouts, or outcries, while riding or driving, shall, upon conviction, forfeit and pay, for each offence, a sum not exceeding twenty dollars.

SECT. 2. This Ordinance shall take effect from and after its passage.

Passed, September 29, 1847.

(No. 31.)

In the year one thousand eight hundred and forty-seven.

AN ORDINANCE

Supplementary to "An Ordinance establishing a System of Accountability in the Expenditures of the City."

Passed, October 19, 1847.

(Repealed by Ordinance No. 48.)

(No. 32.)

In the year one thousand eight hundred and forty-eight.

AN ORDINANCE

In Addition to "An Ordinance for the Removal of Nuisances, Sources of Filth, and Causes of Sickness, within the City of Cambridge."

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. The owner or occupant of any land, in which any vault may be situated, shall cause the same to be cleansed whenever the same shall become offensive; but no vault shall be opened for the purpose of being cleansed, between the twentieth day of June and the first

day of October in each year, except by the special permission of the Mayor and Aldermen, or the City Marshal; nor in any instance between the hours of four o'clock in the morning and ten o'clock at night; and the contents of such vaults, when removed from the premises upon which such vault may be, shall in all cases be removed in water-tight carts. And if any such owner or occupant shall neglect or refuse to cleanse his vault, after being notified by the Mayor and Aldermen, or one of the Marshals of the city, that the same has become offensive, he shall forfeit and pay a sum not exceeding ten dollars for every week he shall neglect or refuse to cleanse the same.

Sect. 2. *Be it further ordained*, That all ordinances, or parts of ordinances, inconsistent with the foregoing, be, and the same are, hereby repealed.

Passed, February 1, 1848.

(See Ordinance No. 44.)

(No. 33.)

In the year one thousand eight hundred and forty-eight.

AN ORDINANCE

Establishing the Salaries of certain City Officers.

Passed, September 26, 1848.

(Repealed by Ordinance No. 49.)

(No. 34.)

In the year one thousand eight hundred and forty-nine.

AN ORDINANCE

Relating to the Collection of Taxes.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

Sect 1. The City Treasurer may be the Collector of Taxes, and

of all rents, and other sums payable to the city, not otherwise specially provided for; and, as Treasurer and Collector, he shall receive a salary of six hundred dollars per annum, payable quarterly, which shall be in full for his services; and all fees for summonses, warrants, and other services, received by him, shall be paid into the city treasury.

SECT. 2. All persons who shall pay their taxes on or before the tenth day of October, shall be entitled to a discount of four per cent.; after which time, no discount will be allowed. And on the first day of November, the Collector is directed to issue his summons to those who are then delinquent, that, if their taxes are not paid within ten days from the date of said summons, with twenty cents for said summons, the Collector will then proceed to collect the same according to law. And the Collector shall give notice by attaching to all tax-bills the above section of this Ordinance.

SECT. 3. The Collector shall be provided by the City Council with an office, in some suitable and convenient place, which office shall be kept open for the reception of taxes, and transaction of other business, every Monday, Wednesday, and Saturday, from nine o'clock, A. M., to one o'clock, P. M., excepting from the fifteenth day of September to the fifteenth day of October, during which time his office shall be kept open every day (Sundays excepted), from nine o'clock, A. M., to one o'clock, P. M.

SECT. 4. All other ordinances, and parts of ordinances, inconsistent herewith, are hereby repealed.

Passed, May 22, 1849.

(See Ordinance No. 49.)

(No. 35.)

In the year one thousand eight hundred and forty-nine.

AN ORDINANCE

In addition to "An Ordinance establishing the Office of the Superintendent of Streets, and prescribing his Duties."

Be it ordained, by the City Council of the City of Cambridge, as follows:

SECT. 1. The Superintendent of Streets shall, under the direction and control of the Surveyors of Highways, have the general care and charge of the highways, streets, lanes, sidewalks, and bridges of the city; and shall attend to the making, amending, and alteration thereof, and cause the same to be kept in good repair, so as to be safe and convenient for travellers, with their horses, teams, and carriages, at all seasons of the year. He shall superintend the building and repairing of the drains and common sewers of the city. He shall see that the highways and streets are kept in good order, and that all nuisances and obstructions therein are forthwith removed, or give notice thereof to the Mayor or one of the Marshals of the city. He may, under the direction of the Mayor, make all necessary contracts for the supply of any labor or materials he may require in the discharge of his official duty.

SECT. 2. The Superintendent of Streets shall have the general care and control of the teams, carts, and stables of the city; and he shall, under the direction of the Mayor, before making any other contracts, make any arrangement with the Overseers of the Poor for such supply of labor and materials as can be furnished by them.

SECT. 3. All ordinances, and parts of ordinances, inconsistent with the foregoing, are hereby repealed.

Passed, May 22, 1849.

(See Ordinance No. 50.)

(No. 36.)

In the year one thousand eight hundred and forty-nine.

AN ORDINANCE

In addition to "An Ordinance prescribing the Duties of the Weighers of Hay and other Articles."

Be it ordained, by the City Council of the City of Cambridge, as follows : —

SECT. 1. The fees for weighing at the city scales shall be as follows, to wit: One cent and one-half for every hundred pounds of hay or straw; at the rate of eight cents for every two thousand pounds of barilla, iron, ice, stones, and lumber; at the rate of four cents for every two thousand pounds of anthracite or other coal; and one cent for every hundred pounds of any other article; provided, however, that the fees for weighing any other article than those above specified shall never be less than ten cents, nor more than fifty cents; and the tare shall in all cases be weighed without charge.

SECT. 2. All ordinances, or parts of ordinances, inconsistent herewith, are hereby repealed.

Passed, May 31, 1849.

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(No. 37.)

In the year one thousand eight hundred and forty-nine.

AN ORDINANCE

In addition to "An Ordinance, establishing a System of Accountability in the Expenditures of the City."

Passed, August 28, 1849.

(Repealed by Ordinance No. 48.)

(No. 38.)

In the year one thousand eight hundred and forty-nine.

AN ORDINANCE

In Relation to Burial Grounds, and the Interment of the Dead.

Be it ordained, by the City Council of the City of Cambridge, as follows : —

Sect. 1. The Mayor, by and with the advice of the Board of Aldermen, may grant permits for laying out lots in the burial grounds belonging to the city, and give titles thereto, on such terms and conditions as may be deemed by them expedient.

Sect. 2. The Mayor and Aldermen shall annually appoint one or more persons to act as Superintendents of the burial grounds belonging to the city.

Sect. 3. It shall be the duty of the Superintendents, under the direction of the Mayor and Aldermen, to take the care and superintendence of such burial grounds as shall be assigned to them in their appointment. They may grant permission for the interment of any person, who, at the time of decease, was a resident in the city; but shall in no case grant permission for the interment of any person, who, at the time of decease, was not a resident in the city, until such permission shall be first obtained from the Mayor. They shall be subject to such general or particular directions as they may at any time receive from the Mayor and Aldermen. It shall also be the duty of the Superintendents, on the first Monday of every month, to deliver to the City Clerk a certificate of all interments authorized by them respectively, during the preceding month, stating the death, the name and surname of the deceased, the sex, condition (whether single or married), age, occupation, place of death, place of birth, names of the parents, and the disease or cause of death.

Sect. 4. In case of absence, sickness, or temporary disability of any Superintendent, his duties shall be performed by such person as the Mayor may appoint.

SECT. 5. The Superintendents shall receive such compensation for their services as the City Council shall determine.

SECT. 6. The Mayor and Aldermen shall also annually appoint one or more persons to act as Undertakers; and no person, except an Undertaker thus appointed, or one appointed by the same authority in his place, shall bury or remove the body of any deceased person, or undertake the management of any funeral. *Provided*, that this prohibition shall not apply to the burial of inmates of the Almshouse, which shall be under the control of the keeper thereof, who shall make returns as provided in the third section of this Ordinance.

SECT. 7. It shall be the duty of the Undertakers, respectively, as soon as informed of the decease of any person within the limits of their district, to take the personal charge and oversight of all necessary arrangements for the removal and burial of the body of the deceased, and for the funeral procession; subject to such general or particular directions as they may, at any time, receive from the Mayor and Aldermen.

SECT. 8. One or more funeral cars shall be provided by the city, and placed under the charge of the Superintendents of Burial Grounds, to be kept in such place or places, and under such regulations, as the Mayor and Aldermen may prescribe; which cars or hearses shall be used for all interments made in any of the burial grounds belonging to the city, whenever any vehicle shall be necessary for the removal of the body. The horse shall be furnished by, and at the expense of, the Undertaker.

SECT. 9. As a compensation for services to be performed by the Undertaker, and such assistants as he may employ in digging and filling the grave, attendance at the house, and going from the house to the grave or tomb, and for the use of the horse he may employ, he shall receive a sum not exceeding four dollars for the burial of each person twelve years old and upwards, and a sum not exceeding two dollars and fifty cents for every child less than twelve years old, to be paid by the person employing him.

SECT. 10. Whenever any person shall decease within the limits of the city, it shall be the duty of the nearest relative, or of the person

in whose house the death may have occurred, or any other person who may have first become informed of the event, to cause the same to be made known to an Undertaker as soon as practicable.

SECT. 11. No person shall bury the body of any deceased person in any of the burial grounds belonging to the city, or remove the body of any deceased person from such burial ground, without first obtaining permission from the Superintendent of such burial ground.

SECT. 12. All funerals shall take place between sunrise and sunset, unless otherwise permitted or directed by the Mayor; and the top of every coffin deposited in the ground shall be at least three feet below the usual surface thereof.

SECT. 13. Any person who shall be guilty of a violation of any of the provisions of this Ordinance, or any of the regulations which may be prescribed by the Mayor and Aldermen in conformity thereto, shall forfeit and pay a sum not less than two dollars, nor more than twenty dollars.

SECT. 14. All ordinances, and parts of ordinances, inconsistent herewith, are hereby repealed.

SECT. 15. This Ordinance shall take effect from and after its passage.

Passed, September 11, 1849.

(No. 39.)

In the year one thousand eight hundred and fifty.

AN ORDINANCE

Establishing the Salary of the Mayor of the City of Cambridge.

Be it ordained, by the City Council of the City of Cambridge, as follows:

SECT. 1. There shall hereafter be paid to the Mayor of the City of Cambridge an annual salary of eight hundred dollars, in equal quarterly payments of two hundred dollars each; which shall be in full for services rendered in his official capacity.

SECT. 2. "An Ordinance establishing the Salary of the Mayor of the City of Cambridge," passed March 22, 1847, is hereby repealed.

SECT. 3. This Ordinance shall take effect from and after the first Monday in April of the present year.

Passed, March 26, 1850.

(No. 40.)

In the year one thousand eight hundred and fifty.

AN ORDINANCE

In Addition to "An Ordinance relating to the Powers and Duties of the School Committee."

Be it ordained, by the City Council of the City of Cambridge, as follows: —

That that part of the third section of "An Ordinance relating to the Powers and Duties of the School Committee," passed on the ninth day of June, eighteen hundred and forty-six, which authorizes repairs to be made on school-houses, be, and the same is hereby, repealed.

Passed, April 9, 1850.

(No. 41.)

In the year one thousand eight hundred and fifty.

AN ORDINANCE

Establishing the Salary of the Superintendent of Streets of the City of Cambridge.

Passed, October 1, 1850.

(Superseded by Ordinance No. 49.)

(No. 42.)

In the year one thousand eight hundred and fifty-one.

AN ORDINANCE

Determining the Boundaries of the Wards of the City of Cambridge, and the Number of Members of the Common Council which each Ward shall be entitled to elect.

Be it ordained, by the City Council of the City of Cambridge, as follows : —

SECT. 1. That the boundaries of the several wards shall continue, for the next five years, to be the same as the boundaries of the wards into which the city of Cambridge is now divided.

SECT. 2. The ward now known as Ward Number One shall elect five members of the Common Council; the ward now known as Ward Number Two shall elect nine members of the Common Council; and the ward now known as Ward Number Three shall elect six members of the Common Council.

Passed, January 28, 1851.

(See Amendment of City Charter, Sec. 4.)

(No. 43.)

In the year one thousand eight hundred and fifty-one.

AN ORDINANCE

In Addition to "An Ordinance providing for the Appointment, and prescribing the Duties, of City Marshal, and establishing a City Watch."

Passed, May 13, 1851.

(Repealed by Ordinance No. 52.)

(No. 44.)

In the year one thousand eight hundred and fifty-one.

AN ORDINANCE

Relating to the Public Health.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. No vault or privy shall be emptied, without a permit from one of the Principal Constables, nor in any other mode, or at any other time, than he shall direct and appoint, conformable to the ordinances of the city, and to such regulations as the Mayor and Aldermen, from time to time, shall make on this subject; and always at the expense of the owner, agent, occupant, or other person having charge of the tenement in which such vault is situated. All applications for opening and cleansing vaults shall be made to the Principal Constables, in their respective wards; and the same shall receive attention in the order in which they are made. The Mayor and Aldermen shall, from time to time, determine the sum to be paid by persons who shall make such applications.

SECT. 2. Every person offending against the provisions of this Ordinance shall forfeit and pay a sum not exceeding twenty dollars for each offence.

SECT. 3. All other ordinances, and parts of ordinances, inconsistent herewith, are hereby repealed.

Passed, May 27, 1851.

(No. 45.)

In the year one thousand eight hundred and fifty-one.

AN ORDINANCE

Relating to the Salary of the Treasurer and Collector.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. The Salary of the City Treasurer and Collector shall be

seven hundred dollars per annum, payable quarterly, which shall be in full for his services; and all fees for summonses, warrants, and other services received by him, shall be paid into the City Treasury.

SECT. 2. All ordinances, or parts of ordinances, inconsistent herewith, are hereby repealed.

Passed July 15, 1851.

(See Ordinance No. 49.)

(No. 46.)

In the year one thousand eight hundred and fifty-one.

AN ORDINANCE

Relating to the Laying Out and Acceptance of Streets.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. All streets, hereafter laid out, which shall be two hundred feet or more in length, shall be not less than forty feet wide; and all streets, not two hundred feet in length, shall be not less than thirty feet wide.

SECT. 2. No street shall hereafter be accepted, unless it be of the width required in this Ordinance.

SECT. 3. All ordinances, or parts of ordinances, inconsistent with this Ordinance, are hereby repealed.

Passed, August 26, 1851.

(No. 47.)

In the year one thousand eight hundred and fifty-one.

AN ORDINANCE

Establishing the Salaries of the Chief and Assistant Engineers of the Fire Department.

Passed, August 26, 1851.

(Superseded by Ordinance No. 49.)

(No. 48.)

In the year one thousand eight hundred and fifty-two.

AN ORDINANCE

Establishing a System of Accountability in the Expenditures of the City.

Passed, April 22, 1852.
(Repealed by Ordinance No. 61.)

(No. 49.)

In the year one thousand eight hundred and fifty-two.

AN ORDINANCE

Establishing the Salaries of certain City Officers.

Be it ordained, by the City Council of the City of Cambridge, as follows : —

SECT. 1. The officers of the city, hereinafter named, shall receive the following annual salaries, to be paid in equal quarterly payments, which shall be in full for all services rendered in their official capacity, viz : —

City Treasurer and Collector, seven hundred dollars ;
City Clerk, exclusive of fees established by law, seven hundred dollars ;
Clerk of Common Council, one hundred dollars ;
Board of Assessors, eight hundred dollars ;
City Messenger, three hundred dollars ;
Superintendent of Streets, six hundred dollars ;
Chief Engineer, two hundred dollars ;
Four Assistant Engineers, fifty dollars each ;
Three Head Constables, one hundred dollars each ;

SECT. 2. All ordinances, or parts of ordinances, inconsistent with the foregoing, are hereby repealed.

Passed, May 18, 1852.
(See Ordinance No. 58.)

(No. 50.)

In the year one thousand eight hundred and fifty-two.

AN ORDINANCE

Relating to Main Drains or Common Sewers.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. All main drains or common sewers which shall be considered necessary by the City Council in any street or highway, shall be laid, as nearly as possible, in the centre of such street or highway, and shall be built of such materials and of such dimensions as the City Council shall direct.

SECT. 2. All particular drains, which shall hereafter enter into such common sewer, shall, so far as the same shall be constructed within the limits of any street or highway, be built of such materials, of such size, and in such direction, as the City Council or the Superintendent of Drains shall direct.

SECT. 3. The Mayor and Aldermen shall have power, in all cases where there is any common sewer or main drain in any street or highway, to cause every owner of land adjoining such street or highway, to make and enter into such main drain a good and sufficient drain from his house, yard, or lot, whenever in their opinion public necessity shall require it; and shall thereupon give such owner, his tenant, or lessee, notice in writing, specifying the time within which such drain shall be completed; and in case such owner shall neglect to complete the same within the time specified, the Mayor and Aldermen shall cause the same to be constructed, and shall recover of said owner the whole expense thereof, together with incidental cost and expenses, by an action of the case, to be brought in the name of the City of Cambridge, before any court proper to try the same.

SECT. 4. Every person entering a particular drain into any main drain, without a permit in writing from the Mayor and Aldermen, or Superintendent of Drains hereinafter mentioned, shall forfeit and pay the sum of twenty dollars, and shall also be liable to pay all

such damage, by way of indemnification, as the Mayor and Aldermen shall deem just and reasonable.

Sect. 5. There shall be chosen, at the commencement of each municipal year, by a concurrent vote of the City Council, to be first acted upon by the Mayor and Aldermen, an able and discreet person, to be styled the Superintendent of Drains, who shall hold his office at the pleasure of the City Council, and shall receive such compensation as said Council shall determine. Whenever said office shall become vacant, by death, resignation, or otherwise, a successor shall be appointed in the manner herein prescribed.

Sect. 6. The said Superintendent shall, under the direction of the Joint Standing Committee on Reservoirs and Drains, take the general superintendence of all main drains or common sewers, which now are or may hereafter be built or owned by the city, or which may be permitted to be built by its authority; and he shall take charge of the building and repairs of the same, and make all contracts for the supply of labor and materials therefor.

Sect. 7. The said Superintendent, whenever any main drain or common sewer is ordered to be built or repaired, shall ascertain its depth, breadth, mode of construction, and general direction, take the plan thereof, insert the same with all those particulars in a book to be kept for that purpose, and forthwith ascertain and insert on said plan all entries made into such sewer or drain.

Sect. 8. The said Superintendent shall keep an accurate account of the expense of constructing and repairing each common sewer or main drain, and shall report the same to the Mayor and Aldermen, together with a list of the persons and estates deriving benefit therefrom, and an estimate of the value of such lands, to be estimated independently of any buildings or improvements thereon.

Sect. 9. It shall be the duty of the Mayor and Aldermen, in making assessments for defraying the expense of constructing or repairing common sewers or main drains, pursuant to the provisions of this Ordinance, to deduct from the expense such part as they may deem expedient to be charged to and paid by the city; and to apportion and assess the remainder thereof upon the persons and estates deriving benefit from such main drain or common sewer, either by the entry

of their particular drains therein, or by any more remote means, agreeably to existing laws; and to prescribe and establish the time when such assessments shall be paid.

Sect. 10. It shall be the duty of the Mayor and Aldermen, when any assessments have been made as aforesaid, to deliver the same to the City Treasurer for collection; and the said Treasurer shall forthwith demand payment, in writing, of said assessments, in the manner prescribed by law; and in case any bills or dues under this Ordinance shall remain unpaid at the expiration of three months after demand of payment as aforesaid, the said Treasurer shall cause the same to be collected by a resort to legal process.

Sect. 11. All ordinances, or parts of ordinances, inconsistent with the foregoing, are hereby repealed.

Passed, June 29, 1852.

(No. 51.)

In the year one thousand eight hundred and fifty-three.

AN ORDINANCE

In addition to "An Ordinance to prevent unlawful and injurious practices, in the streets and other public places in the city."

Be it ordained, by the City Council of the City of Cambridge, as follows: —

Sect. 1. The Mayor and Aldermen, or such person as they may authorize thereto, may grant a license, in writing, to any person, for the purpose of building, or other lawful purpose, to dig up, obstruct, or encumber, so much and such parts of any street, lane, alley, sidewalk, or other public place in the city, and on such terms and conditions as they shall deem safe and proper.

Sect. 2. No person shall move, or assist in moving, any house, shop, or other building, through any street, lane, or alley, or over any bridge, in the city, without first obtaining a written license therefor, from the Mayor and Aldermen, or some person by them authorized thereto, and on such terms and conditions as they shall deem to be safe and proper.

Sect. 3. The second and eleventh sections of the Ordinance, to which this Ordinance is in addition, are hereby repealed.

Passed, May 31, 1853.

(No. 52.)

In the year one thousand eight hundred and fifty-three.

AN ORDINANCE

Providing for the Appointment, and Prescribing the Duties of City Marshal, and Establishing a City Watch.

Be it ordained, by the City Council of the City of Cambridge as follows: —

Sect. 1. The Mayor and Aldermen shall forthwith appoint, and shall hereafter, at the commencement of every municipal year, appoint, a City Marshal. He may be appointed to the office of Constable; and, before entering on the duties of his office, shall take, before the Mayor and Aldermen, the oath prescribed by law for Constables; and shall give bond, in the sum of three hundred dollars, with surety, to be approved by the Mayor and Aldermen, for the faithful performance of the duties of his office.

Sect. 2. The City Marshal shall have precedence and command over the Constables of the city, when acting together in the same service, or when thereto directed by the Mayor.

Sect. 3. The said Marshal shall, from time to time, pass through the streets, lanes, and alleys of the city, and take notice of all nuisances, obstructions, and impediments therein, and on the sidewalks thereof, and cause the same forthwith to be removed, and the authors thereof to be prosecuted according to law. He shall observe all defects and want of repair in the highways and streets, and give immediate notice thereof to the Mayor and Aldermen, or the Superintendent of Streets, to the end that the same may be amended. He shall, to the utmost of his power, preserve the public peace, and prevent all riots, disorders, and unlawful practices, within the city. He shall carry into execution, within the city,

the laws of the Commonwealth, and all ordinances of the city, and be vigilant to detect and bring to punishment all violators thereof. He shall obey and execute all the commands of the Mayor and Aldermen, which in any way relate to the interest or security of the city and the inhabitants thereof. He shall receive all complaints made to him of any violation of the laws or of any ordinances of the city, and shall, on behalf of the city, cause all offenders against such laws and ordinances to be promptly prosecuted before some Court or Justice of the Peace, as the case may require, within the County of Middlesex, and shall attend, on behalf of the city, at their trials. He shall lay before the Mayor and Aldermen, once in three months, and oftener if required, a statement of all offences against the laws of the Commonwealth and the ordinances of the city, and of all prosecutions instituted by him on behalf of the city, and the result thereof.

Sect. 4. The said Marshal shall, under the authority and control of the Mayor and Aldermen, carry into execution, within the city, all rules and ordinances which shall from time to time be made by the City Council, relative to the causes of sickness, nuisances, and sources of filth, which may affect injuriously the health or comfort of the inhabitants; and he shall cause all such nuisances, sources of filth, and causes of sickness, to be immediately removed, destroyed, or prevented, conformably to such ordinances and the laws of the Commonwealth.

Sect. 5. The said Marshal shall, within the city, execute and carry into effect all ordinances which shall from time to time be made by the City Council, to prevent unlawful and injurious practices in the streets and other public places in the city.

Sect. 6. The said Marshal and Constables of the city shall, in case of fire within their respective wards, repair to the place where the fire may be, and attend diligently to the preservation of the public peace and the prevention of thefts, and of the loss or destruction of property.

Sect. 7. The Mayor and Aldermen may from time to time order a suitable watch to be kept in the night; and, for that purpose, may appoint any number of watchmen, not exceeding twenty, which they

may deem necessary, and establish all needful rules and regulations for the government thereof.

Sect. 8. The City Marshal shall be captain of the watch within the city, and shall obey and execute all rules and orders made and given him in charge, in that behalf, by the Mayor and Aldermen. They shall, when on the watch, pass in and about the streets, lanes, and principal inhabited places of the city, to prevent danger by fire, and to see that order is kept, and that all disturbances and disorders are prevented and suppressed; and, for that purpose, they shall have authority to examine all persons whom they shall see walking abroad in the night after ten o'clock, and whom they shall have reason to suspect of any unlawful design, and to demand of them their business abroad at such a time, and whither they are going; to enter any houses of ill-fame, for the purpose of suppressing any riot or disturbance therein, and to arrest any persons there found making or abetting in such riot or disturbance. And all persons so walking abroad, and suspected of any unlawful design as aforesaid, who shall not give a satisfactory account of their so being abroad and of their business, and all persons so arrested in such houses of ill-fame, shall be secured by imprisonment or otherwise, to be safely kept until the next morning, and shall then be taken before a Justice of the Peace, to be examined and proceeded with according to the nature of their offence.

Sect. 9. The said Marshal, and all other watchmen, when attending watch, shall carry with them such badge of their office as the Mayor and Aldermen shall prescribe.

Sect. 10. The Mayor and Aldermen may, at any time, by vote, remove from office said Marshal and appoint a successor. They may also, in case of the death or resignation of the said Marshal, appoint another in his place. The said Marshal shall receive such compensation as the City Council shall determine. He shall keep a true and accurate account of the services rendered and time spent by him, in discharging the duties of his office, and lay the same before the City Council once in every three months.

Sect. 11. "An Ordinance in addition to an Ordinance, providing for the appointment and prescribing the duties of City Marshal,

and establishing a City Watch," passed May 13, 1851, is hereby repealed.

Passed, May 31, 1853.

(Modified by Ordinance No. 58.)

(No. 53.)

In the year one thousand eight hundred and fifty-three.

AN ORDINANCE

In addition to "An Ordinance for the Removal of Nuisances, Sources of Filth, and Causes of Sickness, within the City of Cambridge."

Be it ordained, by the City Council of the City of Cambridge, as follows: —

No person shall drive, or cause to be driven, any cart or wagon containing night soil, or any wagon or cart used for that purpose, through any street, lane, or alley in the city, between the hours of four o'clock, A. M., and nine o'clock, P. M.; nor permit any such wagon or cart to stand, between said hours, in any street, lane, or alley, in said city. And any person, who shall offend against the provisions of this Ordinance shall forfeit and pay a sum not exceeding twenty dollars for each and every offence.

Passed, July 19, 1853.

(No. 54.)

In the year one thousand eight hundred and fifty-three.

AN ORDINANCE

Relating to the salary of the City Marshal.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

Sect. 1. The salary of the City Marshal shall be five hundred dollars per annum, payable quarterly, which shall be in full for all his services; and all fees, for warrants and other services, received by him, shall be paid into the City Treasury.

SECT. 2. All ordinances, or parts of ordinances, inconsistent with the foregoing, are hereby repealed.

Passed, July 19, 1853.

(See Ordinance No. 58.)

(No. 55.)

In the Year one thousand eight hundred and fifty-three.

AN ORDINANCE

Establishing the Salary of the Superintendent of Drains.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

The salary of the Superintendent of Drains shall be one hundred dollars per annum, payable quarterly; which shall be in full for all his services.

Passed, July 19, 1853.

(No. 56.)

In the year one thousand eight hundred and fifty-three.

AN ORDINANCE

In further addition to "An Ordinance for the Removal of Nuisances, Sources of Filth, and Causes of Sickness, within the City of Cambridge."

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. No person shall put or leave any dead animal substance, fish offal, contents of any vault, decayed vegetable or other matter, in any public street or place, or near any inhabited dwelling, whereby any offensive or noxious stench or effluvia shall be created, and the health or comfort of the citizens be injuriously affected; and no person shall throw any dead animal, or the contents of any vault, into the river adjoining the city.

SECT. 2. Every person who shall offend against any of the pro-

visions of this Ordinance, or the Ordinance to which this is in addition, shall forfeit and pay a sum, not less than one dollar, nor more than twenty dollars.

Sect. 3. The seventh and ninth sections of an Ordinance relating to the removal of nuisances, sources of filth, and causes of sickness, passed on the twenty-eighth day of July, eighteen hundred and forty-six, be, and the same are hereby repealed.

Passed, Sept. 6, 1853.

(No. 57.)

In the year one thousand eight hundred and fifty-four.

AN ORDINANCE

In relation to Truant Children and Absentees from School.

Be it ordained, by the City Council of the City of Cambridge, as follows : —

Sect. 1. The City of Cambridge hereby adopts the two hundred and ninety-fourth chapter of the laws of this Commonwealth for the year one thousand eight hundred and fifty, entitled "An Act concerning Truant Children and Absentees from School," and the Act in addition thereto, passed the twentieth day of May, in the year one thousand eight hundred and fifty-two, and avails itself of the provisions of said Acts.

Sect. 2. Any minor, between the ages of six and fifteen years, who has not attended school in conformity to the laws of this Commonwealth, all habitual truants and absentees from school, all children that are about the streets, begging, or trespassing upon lands, gardens, or orchards, upon conviction of any offence herein described, shall be punished by fine, not exceeding twenty dollars; or instead thereof, by being committed to the Alms House, at the discretion of the Justice of the Peace having jurisdiction of the case, for such time as said Justice of the Peace may determine, not exceeding one year. Provided, however, that any minor convicted of either of the offences herein mentioned, may be discharged by

such Justice of the Peace, according to the provisions of the said Acts.

SECT. 3. The several Justices of the Peace, for the County of Middlesex, residing in the City of Cambridge, shall have jurisdiction of the offences herein set forth; and the Alms House is hereby assigned and provided as the institution of instruction, house of reformation, or suitable situation, mentioned in said Acts.

SECT. 4. The Mayor and Aldermen shall forthwith after the passage of this Ordinance, and hereafter in the month of January annually, appoint three or more persons to make complaints, in every case of violation of this Ordinance, to the said Justices of the Peace, in conformity to the provisions of said Acts.

SECT. 5. This Ordinance shall take effect from and after its passage and approval by the Court of Common Pleas for the County of Middlesex.

Passed, Jan. 16, 1854.

(Approved by Court of Common Pleas, Dec. Term, 1853.)

(No. 58.)

In the year one thousand eight hundred and fifty-four.

AN ORDINANCE

In Addition to "An Ordinance Providing for the Appointment and Prescribing the Duties of City Marshal, and Establishing a City Watch."

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. So much of "An Ordinance Providing for the Appointment and Prescribing the Duties of City Marshal, and establishing a City Watch," passed on the thirty-first day of May, eighteen hundred and fifty-three, as relates to the appointment of City Marshal, is hereby repealed.

SECT. 2. The Mayor and Aldermen shall forthwith appoint, and shall hereafter, at the commencement of every municipal year, appoint, three Principal Constables, one of whom shall reside in

Ward One, one in Ward Two, and one in Ward Three; who shall, within their respective wards, perform all the duties heretofore required to be performed by the City Marshal, and shall receive such compensation as the City Council shall determine.

Passed, August 14, 1854.

(No. 59.)

In the year one thousand eight hundred and fifty-four.

AN ORDINANCE

In Addition to "An Ordinance Establishing a Work House, in the City of Cambridge."

Be it ordained, by the City Council of the City of Cambridge, as follows: —

That "An Ordinance, Establishing a Work House in the City of Cambridge," passed the eleventh day of August, eighteen hundred and forty-seven, be, and is hereby repealed.

Passed, October 16, 1854.

(No. 60.)

In the year one thousand eight hundred and fifty-four.

AN ORDINANCE

Establishing a Fire Department and Providing for Preventing and Extinguishing Fires.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

Sect. 1. The Fire Department shall consist of a Chief Engineer, four Assistant Engineers, and of as many Enginemen, and Hook and Ladder men, to be divided into Companies, as the number of engines, and the number and quantity of other fire apparatus, belonging to the city, shall from time to time require.

Sect. 2. There shall be appointed annually by the Mayor and

Aldermen, with the concurrence of the Common Council, during the month of January, a Chief Engineer, and four Assistant Engineers, who shall hold their offices for the term of one year, and until others are appointed in their places; provided, however, that the Mayor and Aldermen may, with the concurrence of the Common Council, at any time remove from office, the Chief Engineer or any Assistant Engineers.

Sect. 3. The Chief and other Engineers, on their appointment, shall receive a warrant, in the words following, to wit: "This certifies that ——— is appointed an Engineer (or Chief Engineer) of the Fire Department of the City of Cambridge, and is entitled to all the immunities and invested with all the powers belonging to said office. Given under my hand this — day of ——, A. D. 18—. ———, *Mayor.* ———, *City Clerk.*" And the respective rank of the Engineers shall be determined by the Mayor and Aldermen at the time of their appointment.

Sect. 4. The Engineers, so chosen, shall meet and organize themselves into a Board of Engineers, a majority of whom shall form a quorum, and of which, in the absence of the Chief Engineer, the senior Engineer present shall be presiding officer; and they may appoint such Secretary or other officers, and make such rules and regulations for their own government, as they may see fit. They shall be responsible for the discipline, good order, and proper conduct of the whole department, both officers and men, and for the care of all houses, engines, hose carriages, and other furniture and apparatus thereto belonging. They shall have the superintendence and control of all the engine and other houses used for the purposes of the Fire Department, and of all furniture and apparatus thereto belonging, and of the engines and all other fire apparatus belonging to the city, and over the officers and members of the several Companies attached to the Fire Department, and over all persons present at fires; and they may make such rules and regulations for the better government, discipline, and good order of the department, and for the extinguishment of fires, as they may from time to time think expedient, the same not being repugnant to the laws of this Commonwealth, or to any ordinance of this city, and

being subject to the approbation of the Mayor and Aldermen. The Assistant Engineers shall report their absences from fires to the Chief Engineer, with the reasons therefor, who shall keep a record of the same, and make report thereof, stating all the facts to the City Council, every year, prior to the election of Engineers. In the absence of the Chief Engineer, the Clerk shall make said record and report.

Sect. 5. It shall be the duty of said Engineers, whenever a fire shall break out in the city, immediately to repair to the place of such fire, and to carry with them a suitable staff or badge of their office; to take proper measures that the several engines and other apparatus be arranged in the most advantageous situations, and duly worked for the effectual extinguishment of the fire; to require and compel assistance from all persons, as well members of the Fire Department as others, in extinguishing the fire, removing furniture, goods, or other merchandise, from any building on fire, or in danger thereof, and to appoint guards to secure the same; and also in pulling down and demolishing any house or building if occasion require, or further to suppress all tumults and disorders. It shall also be their duty to cause order to be preserved in going to, working at, or returning from fires, and at all other times when Companies attached to the department are on duty.

Sect. 6. The Chief Engineer shall have the sole command at fires over all the other Engineers, all members of the Fire Department, and all other persons who may be present at fires, and shall direct all proper measures for the extinguishment of fires, protection of property, preservation of order, and observance of the laws, ordinances, and regulations respecting fires; and it shall be the duty of said Engineer to examine into the condition of the engines and all other fire apparatus, and of the engine and other houses belonging to the city and used for the purposes of the Fire Department, and of the companies attached to the said department, as often as circumstances may render it expedient, or whenever directed so to do by the Mayor and Aldermen, or by the Committee of the Board of Aldermen on the Fire Department, and annually, in the month of December, to report the same to the Mayor and Aldermen, and

oftener if thereunto requested; also, to cause a full description of the same, together with the names of the officers and members of the Fire Department, to be published annually, in such manner as the Mayor and Aldermen shall direct; and whenever the engines or other fire apparatus, engine or other houses used by the Fire Department, require alterations, additions, or repairs, the Chief Engineer, under the direction of the Board of Aldermen, or of the Committee on the Fire Department, shall cause the same to be made; and it shall be, moreover, the duty of the Chief Engineer to receive and transmit to the Board of Aldermen all returns of officers, members, and fire apparatus, made by the respective companies as hereinafter prescribed, and all other communications relating to the affairs of the Fire Department; to keep fair and exact rolls of the respective companies, specifying the time of admission and discharge, and the age of each member; to report in writing to the City Clerk, who shall keep a record of the same, once in each year, or oftener if directed so to do by the Mayor and Aldermen, all accidents by fire which may happen within the city, with the causes thereof, as well as can be ascertained, and the number and description of the buildings destroyed or injured, together with the names of the owners or occupants.

SECT. 7. In case of the absence of the Chief Engineer, the Engineer next in rank, who may be present, shall execute the duties of his office with full powers.

SECT. 8. No person under the age of twenty years, shall be employed as a member of the Fire Department; nor shall any person be so employed who is not a citizen of the United States.

SECT. 9. Each engine company, appointed by the Mayor and Aldermen, shall consist of thirty-five men, and shall have a foreman, first and second assistant foreman, clerk, and steward; and these officers shall be chosen by ballot, subject to the approval of the Board of Engineers and of the Mayor and Aldermen; and any person rejected shall not be returned the second time for approval.

SECT. 10. Each Hook and Ladder Company, appointed by the Mayor and Aldermen, shall consist of twenty men, and shall have

a foreman, first and second assistant foreman, clerk, and steward; and these officers shall be chosen by ballot, subject to the approval of the Board of Engineers and of the Mayor and Aldermen; and any person rejected shall not be returned the second time for approval.

Sect. 11. The Mayor and Aldermen shall, in the month of January in each year, appoint the several Engine and Hook and Ladder Companies, whose term of service shall continue one year. And every officer or member who shall not serve six months, except in cases of sickness, death, or removal from the city, or who shall be removed for cause, shall forfeit any and all compensation that would otherwise have been due to him, at the time when such service ceased, or such removal took place.

Sect. 12. Meetings of the several Engine and Hook and Ladder Companies, for the choice of officers, shall be held within two weeks after their appointment; notice thereof to be given in such manner as the Mayor and Aldermen shall prescribe; provided, however, that if any office shall become vacant, by death, resignation, or otherwise, the same may be filled at any regular meeting of the company.

Sect. 13. The votes of a majority of all the members of the company shall be required for the election of any officer.

Sect. 14. The officer presiding at any such meeting shall forthwith notify the persons chosen of their election, and he shall also make a true return of such election to the Chief Engineer, who shall submit the same to the Board of Engineers, and if approved by a majority of said Board, he shall forthwith transmit the same to the Mayor and Aldermen; but if not approved by such majority, the Chief Engineer shall notify the company of the fact, and another election shall be had. And if any Engine or Hook and Ladder Company shall unreasonably neglect or refuse to elect officers, which the Board of Engineers and the Mayor and Aldermen will approve, for the space of two weeks, the same may be appointed by the Mayor and Aldermen.

Sect. 15. The officers of the several companies, chosen in the manner before provided, on being appointed by the Mayor and

Aldermen, shall receive a warrant, in form substantially like that prescribed for the Engineers, and shall be held to perform all the duties of the office to which they shall be respectively chosen and appointed, for one year, or until discharged by death, resignation, or by order of the Mayor and Aldermen.

Sect. 16. If any person, chosen by either of said companies to any office therein, shall not be appointed by the Mayor and Aldermen, the City Clerk shall give immediate notice thereof to the Clerk or commanding officer of such company, and thereupon another election shall be had, in the manner before provided.

Sect. 17. It shall be the duty of the Foremen to see that the several engines and apparatus committed to their care, and the several buildings in which the same are deposited, and all things in or belonging to the same, are kept neat, clean, and in order for immediate use; it shall also be their duty to preserve order and discipline at all times in their respective companies, and require and enforce a strict compliance with the city ordinances, the rules and regulations of the department, and the orders of the Engineers. They shall also keep, or cause to be kept by the Clerk of their respective companies, fair and exact rolls, specifying the time of admission, discharge, and age of each member, and accounts of all city property entrusted to the care of the several members, and of all absences and tardiness among the same, in a book provided for that purpose by the city, which rolls or record books are always to be subject to the order of the Board of Engineers and the Mayor and Aldermen. They shall also make, or cause to be made to the Chief Engineer, true and accurate returns of all the members, with their ages, and the apparatus entrusted to their care, whenever called upon so to do.

Sect. 18. It shall be the duty of the officers and members of the several Engine and Hook and Ladder Companies, whenever a fire shall break out in the city, to repair forthwith to their respective engines, hose, hook and ladder carriages, and other apparatus, and to convey them, in as orderly a manner as may be, to or near the place where the fire may be, in conformity with the directions of the Chief or other Engineers; to exert themselves in the most

orderly manner possible, in working and managing the said engines, hose, hook and ladders, and other apparatus; and in performing any duty that they may be called upon to do, by any Engineer; and upon permission of the Chief or other Engineer, shall in an orderly and quiet manner, without any outcries, return said engines, hose, hook and ladder carriages, and other apparatus, to their respective places of deposit. *Provided*, that in the absence of all the Engineers, such direction and permission may be given by their respective Foremen.

SECT. 19. Any officer or member may be removed from the Fire Department by a vote of the Chief Engineer and two Assistant Engineers; and said vote shall be final, unless, in case of officers, the same shall be reversed by the Mayor and Aldermen within fourteen days after it shall have been passed.

SECT. 20. In all cases of removal from office, or from the department, by the Engineers, the name of the person removed, with a statement of the reasons therefor, shall be entered on their records, and a copy of the same shall be transmitted to the Board of Mayor and Aldermen, before their next regular meeting.

SECT. 21. No officer, who may have been dismissed or removed from the Fire Department, shall be reinstated therein, unless by a vote of the Chief Engineer and two of the Assistant Engineers; and, in such case, said vote shall not take effect until confirmed by the Board of Mayor and Aldermen; and no member shall be reinstated, except by a vote of three-fourths of the Mayor and Aldermen.

SECT. 22. The Foreman of each company, immediately on his arrival at any fire, will report himself to the Engineer in command, and shall remain by his company and the apparatus of which he has charge, during the fire, and preserve order, and direct their operations, and protect them from being interrupted in the discharge of their duty.

SECT. 23. In the absence of the Foreman of any company, the Assistant Foreman next in rank, who is present, shall take the command, and be clothed with all the powers and responsibilities of Foreman.

SECT. 24. The Clerk of each company shall, when requested by the Foreman, notify the members thereof of all meetings of the company for the choice of officers and for drill. He shall, if so required, keep fair and true rolls of the members of the company, and in such form as the Foreman shall direct, and also records of its proceedings, choice of officers, and of the fire apparatus committed to its care, and perform such other service in his said office as the Foreman may direct.

SECT. 25. Every person, on being appointed a member of any company in the Fire Department, shall be held to perform all the duties required of him by law and the ordinances of the city, as such member, until discharged by death, resignation, or by order of the Mayor and Aldermen, or Board of Engineers. He shall receive a certificate of his appointment, signed by the Mayor, which shall entitle him to all the immunities belonging to the office.

SECT. 26. It shall be the duty of the Steward to keep clean the house, the engine, hose, or other apparatus, which may belong to the company, to clear the snow in winter from the sidewalk connected with the house, and generally to see that the engine and apparatus are ready for immediate use.

SECT. 27. The members of the respective companies shall not assemble in the house in which the engine or other apparatus intrusted to such company is deposited, on the Sabbath day, or the evening thereof, or on the evening of any other day in the week after ten o'clock at night, except it be in the performance of some duty required of them as members of the Fire Department.

SECT. 28. No company shall be allowed to impose fines upon its members; but it shall be the duty of the Clerk of each company to enter in the roll book provided by the city, all absence and tardiness of each officer and member of said company; and to make a quarterly return of the same to the Board of Engineers. And for every absence or tardiness, except in case of sickness, there shall be deducted from the pay of such officer or member the sum of fifty cents, which amount so deducted shall be paid over at the end of each quarter to the Treasurer of the company to which the

member so fined shall belong, to meet the incidental expenses of the company. And if any officer or member shall have been absent or tardy more than one-third of the fires, or alarms of fires, except in case of sickness, during the quarter, such absence or tardiness shall be considered good cause for his discharge from the Department, if more than five.

SECT. 29. There shall be paid semi-annually to each member of the Department such sum as the City Council may from time to time determine, which said sum shall be paid to each member personally, or to his order.

SECT. 30. Every member of the Fire Department shall wear, at all fires, such badge as the Engineers shall prescribe; and no person without such badge shall, except by permission of an Engineer, enter within the lines formed at any such fire.

SECT. 31. Any member of the City Council may enter the lines at any fire, by wearing such badge as the Mayor and Aldermen shall prescribe.

SECT. 32. No intoxicating liquors of any kind shall be carried into any of the houses used by the Fire Department; nor shall any gambling be permitted therein; and any person who shall be detected offending against this section, shall forfeit a sum not less than two dollars, nor more than ten dollars for each and every offence.

SECT. 33. No company shall leave the city in case of fire in the neighboring towns, excepting by the consent of the Chief Engineer, or one of the Assistant Engineers; and no company shall leave the city on an excursion, unless by the express sanction and permission of the Mayor and Aldermen.

SECT. 34. The Board of Engineers shall, from time to time, make such rules and regulations as in their judgment shall, as far as possible, prevent refreshments being furnished to any persons except members of the Fire Department; and no bill or charge for intoxicating liquors furnished at fires shall be approved by the Mayor and Aldermen, or paid by the city.

SECT. 35. All members of the Fire Department, and all members of any Volunteer Fire Engine Company, shall be exempted from serving on a jury, unless they shall prefer otherwise.

SECT. 36. This Ordinance shall take effect on and after the first day of January next, and the "Rules and Regulations for the Engine and Hook and Ladder Companies attached to the Cambridge Fire Department, established by the Mayor and Aldermen June 30, 1846," and all orders, votes and ordinances heretofore passed inconsistent herewith, shall on said day expire, and be thereafter void and of no effect.

Passed, December 26, 1854.

(No. 61.)

In the year one thousand eight hundred and fifty-five.

AN ORDINANCE

Establishing a System of Accountability in the Expenditures of the City.

Be it ordained, by the City Council of the City of Cambridge, as follows: —

SECT. 1. There shall be appointed, at the commencement of each municipal year, a Joint Standing Committee on Accounts, consisting of two members of the Board of Aldermen and three members of the Common Council; which Committee shall meet, once, at least, every month, and carefully examine and audit all accounts and claims against the City which shall be laid before them, certified as provided in the succeeding section, and shall allow and pass the same, if found to be correct, and justly due.

SECT. 2. No account or claim against the city, other than judgments of the Judicial Courts, shall be received or acted on by the Committee on Accounts, unless such account or claim shall be accompanied with a certificate of the Mayor, President of the Common Council, or of some officer, committee, or agent, authorized on behalf of the city to make the contract or cause the expenditure to be made, that the same is correct.

SECT. 3. As soon as may be after the passage of this Ordinance,

and thereafter at the commencement of each municipal year, there shall be elected, by joint vote of the City Council, an Auditor of Accounts, who shall receive such compensation for his services as the City Council shall determine; and such compensation, until otherwise ordered, shall be at the rate of two hundred dollars per annum, in equal quarterly payments.

Sect. 4. The Auditor shall receive all accounts and claims from persons having demands against the city, which shall have been certified as provided in the second section. He shall carefully examine all such accounts and claims, and see that they are correctly cast, and present the same, neatly folded, filed, and labelled, to the Committee on Accounts. He shall keep a book, in the manner and form the said committee shall direct, wherein he shall enter the date and amount of every account and claim against the city, as finally corrected and allowed by said committee, and also the name of the person to whom the same shall be allowed, designating the fund or appropriation from which the same shall be paid: and the certificate of the said committee, allowing any such account or claim, shall be made in the book thus kept by the Auditor.

Sect. 5. The Auditor shall also, under the direction of the Committee on Accounts, keep a book or ledger, in which he shall enter the various appropriations made by the City Council, each under its appropriate head, and charge to each the different payments and expenditures that from time to time shall be made thereon. Whenever any appropriation shall be expended, the Auditor shall immediately give notice thereof to the Mayor, the City Council, and the Committee on Accounts; which committee shall pass or allow no claim or account, chargeable to any head of appropriation which is expended, until the City Council shall have provided the means of paying the same. The Auditor shall also open an account with the City Treasurer, charging him with the amount of all loans to the city, and all sums of money paid to him on behalf of the city, by the collector or other officer or agent of the city, or by any person in any way indebted to the city; and also with all bonds, notes, mortgages, or other securities, in the hands of the

Treasurer, and belonging to the city; to the end that the amount and value thereof may be seen at any time on his books.

Sect. 6. No money shall be drawn out of the city treasury except upon the written order of the Mayor, addressed to the Treasurer, and countersigned by the Auditor, and numbered so as to correspond with the number of the account or claim it shall be drawn to pay.

Sect. 7. The Mayor is hereby authorized to draw orders on the Treasurer for the payment of all accounts and claims allowed and certified by the Committee on Accounts, as provided in the first section; but he shall not draw his order on the Treasurer for the payment of any account or claim against the city, excepting as provided in the succeeding section, unless the same shall have been allowed and certified by the Committee on Accounts; nor shall he draw any order, in payment for any services rendered or any materials furnished for any department, beyond the sum specifically appropriated therefor by the City Council.

Sect. 8. Any sum of money, which shall have been specially appropriated for the payment of principal or interest due on any note or other security of the City of Cambridge, may be drawn from the treasury and paid by the order of the Mayor, for the purpose for which it was appropriated, without any action on the part of the Committee on Accounts; and whenever it shall be necessary to pay money in advance, on contracts made, or for work begun and not completed, the Mayor, upon being satisfied of such necessity, may draw his order on the Treasurer for the same; provided, however, that no such order shall be drawn for more than five hundred dollars at any one time, without the special authority of the City Council.

Sect. 9. Whenever any money shall be drawn from the treasury for the purposes specified in the preceding section, the Auditor shall report the same, and the amount thereof, to the Committee on Accounts, at their next meeting, and shall charge the same under the appropriate head of expenditure.

Sect. 10. All City Officers, who shall, in their official capacity, receive any money on behalf of the city, shall pay to the Treasurer

the amount in their hands, once in every three months, and oftener if required, except the Collector of Taxes, who shall make such payment whenever the sum in his hands shall amount to five hundred dollars. All other persons, who shall have money in their hands belonging to the city, shall forthwith pay the same to the Treasurer; who shall, on the first day of every month, make out a written statement of all his receipts, as Treasurer, for the preceding month, stating in detail the several amounts, the names of the persons of whom, and on what account, the same were received, which statement shall be delivered to the Auditor, to be by him presented to the City Council, at their next meeting.

Sect. 11. All City Officers and Agents, receiving money on behalf of the city, shall deliver to the Auditor, once in three months, a report in detail of the amount received, and what disposition has been made thereof, except in cases otherwise provided.

Sect. 12. The City Treasurer shall, under the direction of the Committee on Accounts, keep, in a book provided for the purpose, an accurate and true account of all his receipts and payments on behalf of the city, making the same conform, as nearly as may be, with the accounts kept by the Auditor. He shall not pay any money out of the treasury, except upon orders of the Mayor drawn in the form prescribed in the sixth section. He shall, once in six months, and oftener if required, lay before the City Council a statement of the condition of the Treasury, and of all moneys received and paid by him on city account, during the preceding six months.

Sect. 13. There shall be appointed at the commencement of each municipal year, a Committee on Finance, consisting of the Mayor, one member of the Board of Aldermen, the President and five members of the Common Council, which committee shall negotiate all loans to the city, which shall be authorized by the City Council, and shall report the amount to the City Treasurer.

Sect. 14. The Committee on Finance shall, in the month of May next, and thereafter in the month of February, annually, prepare and lay before the City Council an estimate of the amount of money necessary to be raised for the ensuing financial year,

under the various heads of appropriation, and the ways and means of raising the same; and shall also, in the month of March, 1855, and thereafter in the month of December, annually, prepare and lay before the City Council a statement of all the receipts and expenditures of the preceding financial year, giving in detail the amount of appropriation and expenditure of each department; and said statement shall be accompanied with a schedule of the property, real and personal, belonging to the city, and the value thereof, and of the amount of the city debt.

SECT. 15. The Committee on Finance shall, at the close of each municipal year, and as much oftener as they shall deem it expedient, examine and audit the accounts of the City Treasurer; and for that purpose shall have access to all books and vouchers in his possession, or in possession of the Auditor or any other officer of the city. The said committee shall not only compare said accounts with the vouchers therefor, but shall ascertain whether all moneys due the city have been collected and accounted for; they shall also examine all notes and securities in his hands belonging to the city, and make report thereof to the City Council.

SECT. 16. The City Treasurer and City Auditor shall make up their accounts to the first day of March, 1855, and thereafter to the first day of December, annually; and after said first day of March, the financial year shall begin and end on the first day of December in each year.

SECT. 17. "An Ordinance Establishing a System of Accountability in the Expenditures of the City," passed April 22, 1852, is hereby repealed.

Passed, February 26, 1855.

CITY OF CAMBRIDGE.

CLERK'S OFFICE, March 8, 1855.

The foregoing Ordinances have been compared with the original, and found to be correct.

Attest: LUCIUS R. PAIGE, *City Clerk.*

JOINT RULES AND ORDERS

OF THE

CITY COUNCIL.

SECT. 1. All By-laws passed by the City Council shall be termed Ordinances; and the enacting style shall be, "Be it ordained by the City Council of the City of Cambridge."

SECT. 2. In all votes, by which either or both branches of the City Council shall express anything by way of command, the form of expression shall be "Ordered"; and whenever either or both branches shall express opinions, principles, facts, or purposes, the form shall be "Resolved."

SECT. 3. At the commencement of each municipal year, the following Joint Standing Committees shall be appointed, or chosen by ballot, to wit: — A Committee on Finance, consisting of the Mayor and one Alderman, the President and five members of the Common Council; a Committee on Public Instruction, consisting of two members of the Board of Aldermen, the President and three members of the Common Council; a Committee on Ordinances, a Committee on Accounts, a Committee on Public Property, a Committee on the Almshouse, a Committee on Roads and Bridges, a Committee on Reservoirs and Drains, each consisting of two members of the Board of Aldermen and three members of the Common Council; and a Committee on Printing, consisting of one member of the Board of Aldermen and two members of the Common Council.

SECT. 4. The Mayor shall be *ex officio* chairman of any joint committee of which he is a member.

SECT. 5. The members of the Board of Aldermen and Common Council, who shall constitute the joint standing committees, shall be chosen or appointed by their respective boards; and the member of the Board of Aldermen first named on every joint committee, of which the Mayor is not a member, shall be its chairman; and in case of his resignation or inability, the member of the same board next in order, and after him, the member of the Common Council first in order, shall be its chairman.

SECT. 6. The Joint Standing Committees on Finance and on Accounts shall cause a record to be kept of all their proceedings, in books to be provided for that purpose by the city.

SECT. 7. Every joint committee, to whom any subject may be referred, shall report thereon within four weeks, or ask for further time.

SECT. 8. All reports, and other papers submitted to the City Council, shall be written in a fair hand; and no report or indorsement of any kind shall be made on the reports, memorials, or other papers referred to the joint committees, or committees of either branch. And the Clerk shall make copies of any papers to be reported by committees, at the request of the respective chairmen thereof.

SECT. 9. No chairman of any committee shall audit or approve any bill or account against the city for any supplies or services which shall not have been ordered or authorized by the committee.

SECT. 10. The reports of all committees, whether by ordinance, resolve, or otherwise, shall be made to the board in which the business referred originated; and no report shall be received unless agreed to in committee actually assembled.

SECT. 11. In every case of amendment of an ordinance or joint resolution, agreed to in one board and dissented from by the other, a conference may be had at the request of either; and the committees, appointed by the respective boards for the purpose, shall meet as soon as convenient, and state to each other the reasons of their respective boards for and against the amendment, confer freely thereon, and report to their respective boards.

SECT. 12. When either board shall not concur in any ordinance sent from the other, notice thereof shall be given by written message.

SECT. 13. Either board may propose to the other for its concurrence a time to which both boards will adjourn.

SECT. 14. All messages between the two boards shall be reduced to writing by their respective clerks, and may be transmitted by them or by the messenger.

SECT. 15. Each board shall transmit to the other all papers on which any ordinance or joint resolution shall be founded; and all papers on their passage between the two boards may be under the signature of their respective clerks, except ordinances and joint resolutions in their last stage, which shall be signed by their presiding officers.

SECT. 16. After the annual appropriations shall have been passed, no subsequent expenditure shall be authorized for any purpose, unless provision for the same shall be made by specific transfer from some of the appropriations contained in the annual order, or by creating therefor expressly a city debt; but no such debt shall be created, unless the order authorizing the same shall pass by the votes of two-thirds of the whole number of each branch of the City Council, voting by yea and nay.

RULES AND ORDERS

OF THE

COMMON COUNCIL.

Rights and Duties of the President.

SECT. 1. The President shall take the chair precisely at the hour to which the Council may have adjourned; he shall call the members to order, and, on the appearance of a quorum, shall cause the minutes of the preceding meeting to be read, and proceed to business. In the absence of the President, the Clerk shall call the Council to order, and preside until a President *pro tempore* shall be chosen by ballot. If, upon a ballot for President *pro tempore*, no member shall receive a majority of the votes given in, the Council shall proceed to a second ballot, in which a plurality of votes shall prevail.

SECT. 2. He shall preserve decorum and order: he may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the Council, on motion of any member, regularly seconded.

SECT. 3. He shall declare all votes; but if any member doubt the vote, the President, without further debate upon the question, shall require the members voting in the affirmative and negative to rise and stand until they are counted, and he shall declare the result; but no decision shall be declared unless a quorum of the Council shall have voted.

SECT. 4. He shall rise to address the Council, or to put a question, but may read sitting.

Sect. 5. The President may call any member to the chair, provided such substitution shall not continue longer than one meeting. When the Council shall determine to go into Committee of the Whole, the President shall appoint the member who shall take the chair. The President may express his opinion on any subject under debate; but in such case he shall leave the chair, and appoint some other member to take it; and he shall not resume the chair while the same question is pending. But the President may state facts, and give his opinion on questions of order, without leaving his place.

Sect. 6. When any member shall require a question to be taken by yeas and nays, the President shall take the sense of the Council in that manner, provided *one-third* of the members present are in favor of it.

Sect. 7. He shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature; except that, in naming sums and fixing times, the largest sum and the longest time shall be put first.

Sect. 8. After a motion is seconded, and stated by the President, it shall be disposed of by vote of the Council, unless the mover withdraw it before a decision or amendment.

Sect. 9. The President shall consider a motion to adjourn as always in order, unless a member has possession of the floor, or any question has been put and not decided; and it shall be decided without debate.

Sect. 10. He shall put the previous question in the following form: — "Shall the main question be now put?" — and all amendments or further debate of the main question shall be suspended, until the previous question be decided.

Sect. 11. When two or more members happen to rise at the same time, the President shall name the member who is first to speak.

Sect. 12. All committees, except such as the Council determine to select by ballot, shall be appointed and announced by the President.

Sect. 13. In all cases the President may vote.

Rights and Duties of Members.

SECT. 14. When any member is about to speak in debate, or deliver any matter to the Council, he shall rise in his place and respectfully address the presiding officer; shall confine himself to the question under debate, and avoid personality. He shall sit down as soon as he has done speaking.

SECT. 15. No member, in debate, shall mention another member by his name; but may describe him by the ward he represents, the place he sits in, or such other designation as may be intelligible and respectful.

SECT. 16. No member shall be interrupted by another, but by rising to call to order, or to correct a mistake. But if any member, in speaking or otherwise, transgress the rules of the Council, the President *shall*, or any member *may*, call to order; in which case, the member so called to order shall immediately sit down, unless permitted to explain; and the Council, if appealed to, shall decide on the case, but without debate.

SECT. 17. When any member shall violate any of the rules and orders of the Council, and the Council shall have determined that he has so transgressed, he shall not be allowed to speak, unless by way of excuse for the same, until he has made satisfaction.

SECT. 18. No member shall speak more than twice to the same question without first obtaining leave of the Council; nor more than once, until all other members choosing to speak shall have spoken.

SECT. 19. When a motion is made and seconded, it shall be considered by the Council, and not otherwise; and no member shall be permitted to submit a motion in writing, until he has read the same in his place, and it has been seconded.

SECT. 20. When a question is under debate, no motion shall be received but to adjourn; to lie on the table; for the previous question; to postpone to a day certain; to commit; to amend; or to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged.

SECT. 21. Every motion shall be reduced to writing, if the President direct, or any member of the Council request it.

Sect. 22. When a motion has once been made, and carried in the affirmative or negative, it shall be in order for any member voting with the majority to move for a reconsideration, and if such motion is seconded, it shall be open to debate, and be disposed of by the Council. And in case the motion be made at the same meeting, it shall be competent for a majority of the members present to pass a vote of reconsideration; but if it be not made until the next meeting, the subject shall not be reconsidered unless a majority of the whole Council shall vote therefor. But no more than *one* motion for the reconsideration of any vote shall be permitted.

Sect. 23. No member shall be permitted to stand up, to the interruption of another, whilst any member is speaking; or to pass unnecessarily between the President and the person speaking.

Sect. 24. Every member who shall be in the Council, when a question is put, shall give his vote, unless the Council for special reasons excuse him.

Sect. 25. On the "previous question," no member shall speak more than once, without leave.

Sect. 26. The division of a question may be called for when the sense will admit of it.

Sect. 27. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the Council.

Sect. 28. No standing rule or order of the Council shall be suspended, unless *three-fourths* of the members present shall consent thereto; nor shall any rule or order be repealed or amended, without one day's notice being given of the motion therefor, nor unless a majority of the whole Council shall concur therein.

Sect. 29. Every member shall take notice of the day and hour to which the Council may stand adjourned, and shall give his punctual attendance accordingly.

Sect. 30. No member shall be obliged to be on more than two committees at the same time, nor to be chairman of more than one.

Of Communications, Committees, Reports, and Resolutions.

SECT. 31. All memorials and other papers addressed to the Council shall be presented by the President, or by a member in his place, who shall explain the subject thereof; and they shall lie on the table, to be taken up in the order in which they are presented, unless the Council shall otherwise direct.

SECT. 32. Standing committees of this Council shall be appointed on the following subjects, viz.: on Elections and Returns, on Bills in the Second Reading, and on Enrolled Ordinances and Resolutions, each to consist of three members.

SECT. 33. No committee shall sit during the sitting of the Council, without special leave.

SECT. 34. The rules of proceeding in Council shall be observed in committee of the whole, so far as they may be applicable, excepting the rules limiting the times of speaking; but no member shall speak twice to any question, until every member choosing to speak shall have spoken.

SECT. 35. When committees of the Council chosen by ballot, or committees consisting of one member from each ward, have been appointed or elected, and when committees, other than as above specified, are nominated by the President, the person first named shall be chairman; and in case of the absence of the chairman, the committee shall have power to appoint a chairman *pro tem.*

SECT. 36. All messages to the Mayor and Aldermen shall be drawn up by the Clerk, and may be transmitted by him, or sent by the Messenger.

SECT. 37. All ordinances and resolutions, before being read a second time, shall be referred to the Committee on the Second Reading of Bills and Ordinances, and after being reported upon by said committee, shall be again read; after which second reading, the question shall be on passing the same to be enrolled.

SECT. 38. All ordinances and resolutions shall have two several readings, before they shall be finally passed by this Council; they shall then be enrolled by the Clerk, and the Committee on Enrolled Ordinances shall, as soon as may be, examine them, and certify on the back thereof that they are duly enrolled.

SECT. 39. No ordinance, order, or resolution imposing penalties, or authorizing the expenditure of money, shall have more than one reading on the same day.

SECT. 40. The seats of the members of the Council shall be numbered, and determined by lot; and no member shall change his seat but by permission of the President.

SECT. 41. All special committees of this Council shall consist of three members, unless a different number be ordered. And no report shall be received from any committee, unless agreed to in committee actually assembled; and all reports shall be made in writing.

SECT. 42. The Clerk shall keep brief minutes of the votes and proceedings of the Council, entering thereon all accepted orders and resolutions; shall notice reports, memorials, and other papers submitted to the Council, only by their titles, or a brief description of their purport; but all accepted reports shall be entered at length in a separate journal to be kept for that purpose, and provided with an index.

SECT. 43. All salary officers shall be voted for by written ballot.

SECT. 44. It shall be the duty of all standing committees of the Council, — except the Committees on Bills in the Second Reading and on Enrolled Ordinances, — to keep records of their doings in books provided for that purpose by the Clerk; and it shall be the duty of the Clerk to attend the meetings of said committees, and of the special committees, and make said records when required so to do.

SECT. 45. In all elections by ballot, on the part of the Council, blank ballots, and all ballots for persons not eligible, shall be reported to the Council, but shall not be counted in making up the returns, except in cases where this Council have only a negative upon nominations made by the Mayor and Aldermen.

SECT. 46. It shall be the duty of every committee of the Council, to whom any subject may be specially referred, to report thereon within four weeks from the time said subject is referred to them, or ask for further time.

GOVERNMENT AND OFFICERS

OF THE

CITY OF CAMBRIDGE.

1855.

MAYOR.

ZEBINA L. RAYMOND.

ALDERMEN.

GEORGE STEVENS,
JOHN B. COOK,
ISAAC CUTLER,
JOHN DUDLEY,
JAMES W. GATES,
JOSEPH R. KNIGHT.

COMMON COUNCIL.

ALANSON BIGELOW, *President.*

Ward No. 1.

Almon Abbott, George G. Rice,
Phillip Nutting, George S. Saunders,
Nathaniel N. Stickney.

Ward No. 2.

Alanson Bigelow,
Rufus Lamson,
Isaac Davis,
Daniel S. Brown,
Luther Crane,
John Holman,
James G. Hovey,
Daniel Kelley,
Jacob S. Merrill.

Ward No. 3.

Henry Noyes,
Ebenezer T. Tufts,
John Gage,
Augustus P. Griffing,
William Hunnewell,
Joel Robinson.

CITY CLERK.

LUCIUS R. PAGE.

CLERK OF THE COMMON COUNCIL.

HENRY THAYER.

CITY MESSENGER.

ROLAND LITCHFIELD, JR.

JOINT STANDING COMMITTEES.

On Finance.

The Mayor, and Alderman Stevens; the President and Messrs. Hovey, Abbott, Stickney, Hunnewell, and Griffing.

On Public Instruction.

Aldermen Gates and Cook; the President, and Messrs. Saunders, Brown and Noyes.

On Ordinances.

Aldermen Knight and Dudley; and Messrs. Merrill, Nutting and Hunnewell.

On Accounts.

Aldermen Cook and Gates; and Messrs. Brown, Saunders and Gage.

On Public Property.

Aldermen Cutler and Stevens; and Messrs. Davis, Abbott and Tufts.

On the Almshouse.

Aldermen Dudley and Cutler; and Messrs. Tufts, Kelley and Stickney.

On Roads and Bridges.

Aldermen Stevens and Gates; and Messrs. Nutting, Lamson and Robinson.

On Reservoirs and Drains.

Aldermen Dudley and Knight; and Messrs. Noyes, Crane and Abbott.

On Lamps.

Aldermen Gates, Cutler and Knight; and Messrs. Lamson, Robinson and Stickney.

On Printing.

Alderman Cook; and Messrs. Crane and Griffing.

STANDING COMMITTEES OF THE BOARD OF MAYOR AND ALDERMEN.

On Police.

The Mayor, and Aldermen Cutler, Stevens and Dudley.

On Fire Department.

The Mayor, and Aldermen Stevens, Gates and Cutler.

On Roads and Bridges.

Aldermen Stevens, Cutler and Gates.

On Reservoirs and Drains.

Aldermen Dudley, Cook and Knight.

On Licenses.

Aldermen Knight, Gates and Cook.

On Health.

Aldermen Gates, Cook and Knight.

STANDING COMMITTEES OF THE COMMON COUNCIL.

On Elections and Returns.

Messrs. Gage, Davis and Nutting.

On Bills in the Second Reading.

Messrs. Merrill, Noyes and Hovey.

On Enrolled Ordinances and Resolutions.

Messrs. Holman, Saunders and Hunnewell.

CITY TREASURER AND COLLECTOR OF TAXES.

ALONZO J. WEBBER.

AUDITOR OF ACCOUNTS.

LUCIUS R. PAIGE.

ASSESSORS.

Ward 1. — Joseph H. Rice.
" 2. — Josiah W. Cook.
" 3. — Ozias Clark.

SCHOOL COMMITTEE.

The Mayor, *ex officio*.
Ward 1. — John A. Albro, Charles E. Norton.
" 2. — W. W. Wellington, J. W. Parker, Charles A. Skinner.
" 3. — John B. Taylor, C. L. McCurdy.

OVERSEERS OF THE POOR.

Ward 1. — Joseph H. Rice, William T. Richardson.
" 2. — Lloyd Crossman, John C. Thurston.
" 3. — John C. Burdakin, Daniel C. Ripley.

WARDEN OF THE ALMSHOUSE.

Jacob Hanscom.

PHYSICIAN OF THE ALMSHOUSE.

Moses Clarke.

SURVEYORS OF HIGHWAYS.

The Mayor and Aldermen.

SUPERINTENDENT OF STREETS.

Samuel Palmer.

SUPERINTENDENT OF DRAINS.

Samuel Palmer.

SURVEYORS OF LUMBER.

Thomas H. Bailey, Alvaro Blodgett, Ozias Clark, Lloyd Crossman, Samuel W. Dudley, Ebenezer Fogg, William A. Hall, Charles Hastings, Isaac Hyde, Dalphon Osborn, James D. Osborn, Sumner P. Shepard, Edward T. Whitney.

MEASURERS OF WOOD AND BARK.

James H. Fuller, Samuel S. Green, Benjamin J. Hoyt, Jonathan C. Prentiss, Abel Willard.

SEALERS OF LEATHER.

Nathaniel I. Hadley, Jonathan C. Prentiss, Nathan Russell, Abel Willard.

HAY-WEIGHERS.

Samuel S. Green, Isaac C. Holmes, Thomas P. Lerned, Jonathan C. Prentiss, James M. Price, Abel Willard.

WEIGHERS, ETC. OF BUNDLE HAY.

Samuel S. Green, Martin L. Smith, Charles Hastings.

SEALER OF WEIGHTS AND MEASURES.

William A. Mason.

SURVEYOR OF MECHANICS' WORK.

William A. Mason.

FENCE-VIEWERS.

Silas B. Buck, John Dudley, Andrew S. Waitt.

FIELD-DRIVERS.

Lewis Burnett, Joseph G. Cannell, Benjamin Gibbs, Horace Handford, Joseph May, William Mills, James C. Nute, Sylvanus M. Parsons, James B. Rice.

POUND-KEEPER.

Benjamin Gibbs.

FISH OFFICERS.

Ammi C. Teel, Jerome W. Parker, Thomas D. Cook.

AUCTIONEERS.

Samuel S. Green, Samuel C. Knights, Royal Morse, William A. Munroe, Newell A. Thompson, (Boston.)

SUPERINTENDENTS OF BURIAL GROUNDS.

Ward 1. — Joseph Brackett.
" 2. — Daniel Stone.

FUNERAL UNDERTAKERS.

Joseph Brackett, James Casey, Hollis Danforth, Joseph S. G. Dickman, John Greenleaf, Horace Handford, Benjamin J. Hoyt, Roland Litchfield, Jr., Andrew Moore, Amos Munroe, John Pear, Amos P. Rollins, Hiram Welch, James C. Wilder, Benjamin F. Wyeth.

FIRE DEPARTMENT.

Chief Engineer,		George B. Eaton.
1st Assistant	"	Francis L. Chapman.
2d	" "	Martin L. Smith.
3d	" "	John B. Fraser.
4th	" "	Mason Davis.

POLICE.

Principal Constables.

Ward 1. — John Bryant.
" 2. — Edwin Scudder.
" 3. — Hiram Welch.

Constables.

Charles J. Adams, Marshall S. Boyer, Benjamin F. Bridden, John Bryant, Thomas D. Cook, Samuel Dunnels, George D. Eaton, Henry Hayes, John Hobbs, Benjamin L. Mayhew, James S. Morrison, James C. Nute, George P. Oakes, Allen B. Parsons, Sylvanus M. Parsons, James B. Rice, Amos P. Rollins, Joseph Sanderson, Edwin Scudder, Hiram Welch.

Police Officers.

Samuel Dunnels, Timothy Gardner, John Hobbs, Henry Kinsley, Jr., Roland Litchfield, Jr., Lorenzo Ritterbush, John C. Willey.

Watchmen.

Benjamin F. Bridden, John Bryant, Thomas D. Cook, Henry Hayes, John Hobbs, William Loughrey, James S. Morrison, James C. Nute, Sylvanus M. Parsons, James B. Rice, Edwin Scudder.

WARD OFFICERS.

Ward 1. — Stephen T. Farwell, *Warden.*
George S. Saunders, *Clerk.*
Henry R. Glover,
Nathaniel D. Sawin, } *Inspectors.*
Edward Mulliken,

Ward 2. — George P. Oakes, *Warden.*
James M. Chase, *Clerk.*
Charles Tufts,
John McDuffie, } *Inspectors.*
Samuel C. Smith,

Ward 3. — Ozias Clark, *Warden.*
Barnabas Binney, Jr., *Clerk.*
Bela N. Bartlett,
Norman S. Cate, } *Inspectors.*
James M. Price,

CITY COUNCIL,

FROM 1846 TO 1855.

1846.

MAYOR.

JAMES D. GREEN.

ALDERMEN.

Samuel Batchelder,
Ephraim Buttrick,
Samuel P. P. Fay,
William Fisk,
Joseph S. Hastings,
Charles Wood.

COMMON COUNCIL.

Isaac Livermore, *President.*

I.

Josiah Coolidge,
Stephen T. Farwell,
Alexander H. Ramsay,
William Saunders,
William L. Whitney.

II.

John C. Dodge,
Charles Everett,
Joseph A. Holmes,
Isaac Livermore,
Walter R. Mason,
Isaac Melvin,
Aaron Rice,
John Sargent,
Charles Valentine.

III.

Francis Draper,
George W. Fifield,
Lewis Hall,
Thomas F. Norris,
Enos Reed,
Abraham P. Sherman.

City Clerk.

Lucius R. Paige.

Clerk Common Council.

Charles S. Newell.

1847.

MAYOR.

JAMES D. GREEN.

ALDERMEN.

Stephen T. Farwell,
Joseph S. Hastings,
Walter R. Mason,
William Saunders,
Abraham P. Sherman,
Charles Wood.

COMMON COUNCIL.

John Sargent, *President.*

I.

Josiah Coolidge,
William Hunnewell,
Alexander H. Ramsay,
William L. Whitney,
Jonas Wyeth, 2d.

II.

John C. Dodge,
Charles Everett,
Samuel P. Heywood,
Joseph A. Holmes,
Levi Jennings,
Isaac Melvin,
Aaron Rice,
John Sargent,
Charles Valentine.

III.

Francis Draper,
George W. Fifield,
Lewis Hall,
Anson Hooker,
Enos Reed,
Elijah Spare, Jr.

City Clerk.

Lucius R. Paige.

Clerk Common Council.

Charles S. Newell.

1848.

MAYOR.

SIDNEY WILLARD.

ALDERMEN.

Ephraim Buttrick,
Stephen T. Farwell,
Isaac Fay,
George Stevens,
William L. Whitney,
Thomas Whittemore.

COMMON COUNCIL.

John C. Dodge, *President.*

I.

Edmund A. Chapman,
Ralph Day,
Estes Howe,
William T. Richardson,
Jonas Wyeth, 2d.

II.

George Cummings,
Eliphalet Davis,
John C. Dodge,
Charles Everett,
Jesse Fogg,
Samuel P. Heywood,
Levi Jennings,
Isaac Melvin,
Aaron Rice.

III.

Lewis Hall,
Anson Hooker,
Horatio N. Hovey,
John S. Ladd,
Elijah Spare, Jr.,
William Wyman.

City Clerk.

Lucius R. Paige.

Clerk Common Council.

Charles S. Newell.

1849.

MAYOR.

SIDNEY WILLARD.

ALDERMEN.

George Cummings,
Calvin Dimick,
Lorenzo Marrett,
Charles R. Metcalf,
George Stevens,
Jonas Wyeth, 2d.

COMMON COUNCIL.

Samuel P. Heywood, *President.*

I.

Edmund A. Chapman,
Jesse Coolidge,*
Ralph Day,
Israel P. Dunham,
Charles T. Murdoch.

II.

Isaac Davis,
William P. Fisk,
Jesse Fogg,†
Samuel P. Heywood,
Edward Hyde,
George C. Richardson,
Edwin Scudder,
Francis Wells,
Charles Wood.

III.

Anson Hooker,
Amory Houghton,
Andrew Jones,
Elijah Spare, Jr.,
Robert P. Tuten,
William Wyman.

City Clerk.

Lucius R. Paige.

Clerk Common Council.

Eben M. Dunbar.

---

* Resigned, and David S. Buck elected.
† Resigned, and Hosea Spencer elected.

1850.	1851.
MAYOR.	MAYOR.
SIDNEY WILLARD.	GEORGE STEVENS.
ALDERMEN.	ALDERMEN.
Isaiah Bangs,	Edmund A. Chapman,*
Edmund A. Chapman,	Calvin Dimick,
Calvin Dimick,	John Hews,
Lorenzo Marrett,	Anson Hooker,
Stephen Smith,	Richard C. Joseph,
George Stevens.	Stephen Smith.
COMMON COUNCIL.	COMMON COUNCIL.
Samuel P. Heywood, *President.*	John S. Ladd, *President.*
I.	I.
David S. Buck,	David S. Buck,
David B. Hadley,	David B. Hadley,
George Meacham,	George Meacham,
Charles T. Murdoch,	Andrew S. Waitt,
William A. Saunders.	Jonas Wyeth.
II.	II.
James Atwood,	James Atwood,
Isaac Davis,	Hiram Brooks,
John Dudley,	Mason Davis,
William P. Fisk,	Royal Douglass,
Samuel P. Heywood,	John Dudley,
George C. Richardson,	Josiah Dana Hovey,
Edwin Scudder,	Zebina L. Raymond,
Hosea Spencer,	Franklin Sawyer, Jr.,†
Francis Wells.	Hosea Spencer.
III.	III.
Thomas P. Ayer,	Thomas P. Ayer,
Henry S. Hills,	Edmund Boynton,
Anson Hooker,	Andrew Jones,
Andrew Jones,	John S. Ladd,
Luther L. Parker,	Luther L. Parker,
Robert P. Tuten.	Robert P. Tuten.‡
City Clerk.	*City Clerk.*
Lucius R. Paige.	Lucius R. Paige.
Clerk Common Council.	*Clerk Common Council.*
Eben M. Dunbar.	Eben M. Dunbar.

* Died, and Abraham Edwards elected.
† Died, and George T. Gale elected.
‡ Died, and Henry S. Hills elected.

1852.

MAYOR.

GEORGE STEVENS.

ALDERMEN.

Thaddeus B. Bigelow,
Ambrose Chamberlain,
Abraham Edwards,
Anson Hooker,
Lorenzo Marrett,
Stephen Smith.

COMMON COUNCIL.

John Sargent, *President.*

I.

David S. Buck,
Isaac Cutler,
Ralph Day,
George Meacham,
Andrew S. Waitt.

II.

Alvaro Blodgett,
John Dudley,
William P. Fisk,
George T. Gale,
Joseph A. Holmes,
Phineas B. Hovey, Jr.,
Z. L. Raymond,
John Sargent,
Hosea Spencer.

III.

Thomas P. Ayer,
Edmund Boynton,
Ozias Clark,
Joseph M. Doe,
George L. Mitchell,
William Stevens.

City Clerk.

Lucius R. Paige.

Clerk Common Council.

Eben M. Dunbar.

1853.

MAYOR.

JAMES D. GREEN.

ALDERMEN.

Ambrose Chamberlain,
John W. Donallan,
Abraham Edwards,
George W. Livermore,
George Meacham,
John Taylor.

COMMON COUNCIL.

John Sargent, *President.*

I.

Francis L. Batchelder,
John B. Cook,
Charles H. Saunders,
Oliver Tenney,
William Watriss.

II.

Alanson Bigelow,
Alvaro Blodgett,
Daniel U. Chamberlin,
Lloyd Crossman,
William P. Fisk,
Joseph A. Holmes,
Phineas B. Hovey,
John Sargent,
George G. Ryder.

III.

Barnabas Binney,
Ozias Clark,
George H. Davies,
Franklin Hall,
George L. Mitchell,
William Stevens.

City Clerk.

Lucius R. Paige.

Clerk Common Council.

Eben M. Dunbar.

1854.

MAYOR.

ABRAHAM EDWARDS.

ALDERMEN.

Henry M. Chamberlain,
Henry S. Hills,
George W. Livermore,
Linus A Phillips,
William A. Saunders,
Stephen Smith.

COMMON COUNCIL.

John C. Dodge, *President.*

I.

Francis L. Batchelder,
John B. Cook,
Charles H. Saunders,
Oliver Tenney,
William Watriss.

II.

Alanson Bigelow,
Thaddeus B. Bigelow,
Alvaro Blodgett,
Daniel U. Chamberlin,
Lloyd Crossman,
John C. Dodge,
Rufus Lamson,
Benjamin F. Nourse,
George G. Ryder.

III.

George H. Davies,
Franklin Hall,
O. H. P. Green,*
William A. Munroe,
Henry Noyes,
Ebenezer T. Tufts.

City Clerk.

Lucius R. Paige.

Clerk Common Council.

Henry Thayer.

1855.

MAYOR.

ZEBINA L. RAYMOND.

ALDERMEN.

John B. Cook,
Isaac Cutler,
John Dudley,
James W. Gates,
Joseph R. Knight,
George Stevens.

COMMON COUNCIL.

Alanson Bigelow, *President.*

I.

Almon Abbott,
Phillip Nutting,
George G. Rice,
George S. Saunders,
Nathaniel N. Stickney.

II.

Alanson Bigelow,
Daniel S. Brown,
Luther Crane,
Isaac Davis,
John Holman,
James G. Hovey,
Daniel Kelley,
Rufus Lamson,
Jacob S. Merrill.

III.

John Gage,
A. P. Griffing,
William Hunnewell,
Henry Noyes,
Joel Robinson,
Ebenezer T. Tufts.

City Clerk.

Lucius R. Paige.

Clerk Common Council.

Henry Thayer.

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* Died, Dec. 15, 1854.

AN ACT
RELATING TO THE CAMBRIDGE CEMETERY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The City Council of Cambridge is hereby authorized to elect by joint ballot in convention, a board of six commissioners, two members thereof to be elected each and every year, in the month of January, to hold office for the term of three years; the Mayor of the City of Cambridge, for the time being, to be chairman of said board *ex officio*. Said boards hall have the sole care, superintendence and management of the Cambridge Cemetery established by said City Council; but said board, or any member thereof, after having had an opportunity to be heard in his or their defence, may be removed at any time by a concurrent vote of two-thirds of each branch of the City Council; and in case of a vacancy in said board of commissioners, by death, resignation, removal, or otherwise, such vacancy shall be filled by the choice of another commissioner in the manner aforesaid, who shall hold his office for the remainder of the term for which the member in whose place he shall be elected would have held the same. Said board may be organized by the choice of a Secretary from their own number, and a majority of said board shall constitute a quorum for the transaction of business; and the term, for which the several members of the first board of commissioners to be so chosen shall hold their office, shall be determined as follows: — The first election to be made as soon as may be after the passage of this Act, and the commissioners so chosen to be divided by lot into three classes; the first class to remain in office until January, eighteen hundred and fifty-six; the second class to remain in office until January, eighteen hundred and fifty-seven; and the third class shall remain in office until January, eighteen hundred and fifty-eight; after which first election, two commissioners shall be elected during the month of January in every year, and to hold office for the term of three years.

SECT. 2. The said board of commissioners shall lay out said Cemetery, or such parts thereof as are not already laid out, into such lots or sub-divisions for burial places as they shall think proper; and the said commissioners shall set apart a portion of said Cemetery for a public burial-place for the use of the inhabitants of said city, free of charge therefor. And it shall be the duty of said commissioners from time to time, as appropriations shall be made by the City Council

therefor, to cause all necessary paths and avenues to be constructed therein, and to cause said Cemetery to be planted and embellished with trees, shrubs, flowers and other rural ornaments, as they shall think proper. And said board may make all necessary by-laws and regulations in the execution of their trust, not inconsistent with this Act and the laws of the Commonwealth, as they shall deem expedient.

Sect. 3. Said board of commissioners shall have authority to sell to any person or persons the sole and exclusive right of burial, and of erecting tombs, cenotaphs and monuments, in any of the designated lots or sub-divisions of said Cemetery, upon such terms and conditions as they shall by their rules and regulations prescribe ; but all deeds or conveyances of any of such lots shall be made in the name of the city, and shall be executed in behalf of the city by the City Clerk thereof for the time being, when requested to do so by the commissioners; and the proceeds of such sales shall in all cases be paid into the city treasury.

Sect. 4. The said board of commissioners shall annually, in the month of January, and whenever required by the City Council, make and render a report of all their Acts, doings and proceedings, and of the condition of the Cemetery, and an account of the receipts and expenditures for the same.

Sect. 5. The Mayor and Aldermen of said city shall notify and warn the legal voters of said city, to meet in their respective Wards, on such day as they shall direct, not exceeding thirty days from the passage of this Act, for the purpose of giving in their written votes upon the question whether they will accept the same ; and if a majority of the votes given upon said question shall be in the negative, then this Act shall be null and void.

Sect. 6. This Act shall take effect from and after its passage.

House of Representatives, March 12, 1855.

Passed to be enacted.

DANIEL C. EDDY, *Speaker.*

In Senate, March 13, 1855.

Passed to be enacted.

HENRY W. BENCHLEY, *President.*

March 13 — Approved :

HENRY J. GARDNER.

Secretary's Office, Boston, March 13, 1855.

A true copy — Attest :

E. M. WRIGHT, *Secretary of the Commonwealth.*

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